

ESTTA Tracking number: **ESTTA741807**

Filing date: **04/22/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91216035
Party	Plaintiff GoPro, Inc. Formerly Woodman Labs, Inc.
Correspondence Address	CONNIE L ELLERBACH FENWICK & WEST LLP 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041 UNITED STATES trademarks@fenwick.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Connie L. Ellerbach
Filer's e-mail	trademarks@fenwick.com, eball@fenwick.com, ktsai@gopro.com
Signature	/cle1087/
Date	04/22/2016
Attachments	Notice of Reliance on Opposer's Registration.pdf(1168196 bytes ) Exhibit A Reliance on Opposer's Registration.pdf(110803 bytes ) Notice of Reliance on Applicant's Admissions.pdf(2906524 bytes ) Exhibits_B-C_Notice of Reliance on Admissions.pdf(2987008 bytes ) Notice of Reliance on Third-Party Registrations.pdf(2100951 bytes ) Exhibits D - R Notice of Reliance on Third-Party Registrations.pdf(4645568 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of  
Trademark Application Serial No. 85/825,238  
Mark: GOPRO G (and design)

GoPro, Inc.	)	
	)	
vs.	)	Opposition No. 91216035
Ross Walmsley,	)	
Applicant.	)	
	)	

**OPPOSER'S NOTICE OF RELIANCE  
PURSUANT TO 37 CFR § 2.122(d) ON OPPOSER'S REGISTRATION**

Pursuant to 37 CFR § 2.122(d) and TBMP 704.03(b)(1)(A), GoPro, Inc. ("Opposer"), submits this Notice of Reliance and offers into evidence in this proceeding the following registration owned by Opposer.

<u>Exhibit</u>	<u>Description of Materials</u>
A	GOPRO, Registration No. 3,032,989.

This registration is relevant evidence of the facts alleged in the Notice of Opposition and in support of Opposer's trial briefing. In particular, Opposer's registration is relevant to show Opposer's prior rights in the GOPRO family of marks.

///

///

///

///

///

Opposer's submission of the foregoing material is without prejudice to Opposer's right to object to its use by Applicant pursuant to the Federal Rules of Evidence, Board rules and procedures, and any applicable rule or precedent.

Dated: April 22, 2016

/cle1087/

Connie L. Ellerbach  
Eric J. Ball  
Mark A. Jansen  
Attorneys for Opposer  
FENWICK & WEST LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
(650) 988-8500  
trademarks@fenwick.com

PROOF OF SERVICE BY MAIL

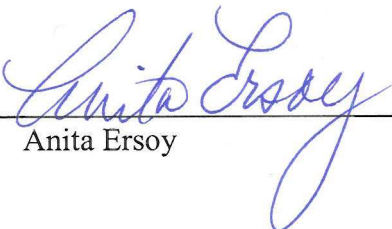
I declare that:

I am employed in the County of Santa Clara, California. I am over the age of eighteen years and not a party to the within cause; my business address is Silicon Valley Center, 801 California Street, Mountain View, CA 94041. On the date indicated below, I served the within OPPOSER'S NOTICE OF RELIANCE PURSUANT TO RULE 2.122(d) ON OPPOSER'S REGISTRATION, on the interested parties in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mountain View, California, addressed as follows:

Ross Walmsley  
P.O. Box 5452  
Brendale QLD 4500  
Australia

Ross Walmsley  
11 Heath Ct.  
4226 Cashmere  
Australia

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 22nd day of April, 2016.

  
\_\_\_\_\_  
Anita Ersoy



## EXHIBIT A

**Generated on:** This page was generated by TSDR on 2016-04-04 18:13:50 EDT

**Mark:** GOPRO

GoPro

**US Serial Number:** 78369572

**Application Filing Date:** Feb. 17, 2004

**US Registration Number:** 3032989

**Registration Date:** Dec. 20, 2005

**Register:** Principal

**Mark Type:** Trademark

**Status:** The registration has been renewed.

**Status Date:** Nov. 04, 2015

**Publication Date:** Dec. 21, 2004

**Notice of Allowance Date:** Mar. 15, 2005

---

## Mark Information

---

**Mark Literal Elements:** GOPRO

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

---

## Goods and Services

---

**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

**For:** Photographic equipment, namely, [ film cameras and ] digital cameras, cases and housings for cameras and camera straps

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 13, 2004

**Use in Commerce:** Sep. 12, 2004

---

## Basis Information (Case Level)

---

**Filed Use:** No

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** Yes

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

---

## Current Owner(s) Information

---

**Owner Name:** GOPRO, INC.

**Owner Address:** 3000 CLEARVIEW WAY  
SAN MATEO, CALIFORNIA 94402  
UNITED STATES

**Legal Entity Type:** CORPORATION

**State or Country** DELAWARE  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Connie L. Ellerbach

**Docket Number:** 23769-00072

**Attorney Primary** [trademarks@fenwick.com](mailto:trademarks@fenwick.com)  
**Email Address:**

**Attorney Email** Yes  
**Authorized:**

### Correspondent

**Correspondent** Connie L. Ellerbach  
**Name/Address:** Fenwick & West LLP  
801 California Street  
Silicon Valley Center  
Mountain View, CALIFORNIA 94041  
UNITED STATES

**Phone:** 650-988-8500

**Fax:** 650-938-5200

**Correspondent e-** [trademarks@fenwick.com](mailto:trademarks@fenwick.com)  
**mail:**

**Correspondent e-** Yes  
**mail Authorized:**

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Nov. 04, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 04, 2015	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Nov. 04, 2015	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75461
Nov. 03, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Sep. 23, 2015	TEAS SECTION 8 & 9 RECEIVED	
Jun. 25, 2015	NEW CERTIFICATE ISSUED, SEC. 7D	76293
Jun. 23, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Jun. 15, 2015	TEAS SECTION 7 REQUEST RECEIVED	
Feb. 19, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 08, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Nov. 08, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Dec. 02, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Dec. 02, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Dec. 02, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Oct. 25, 2011	TEAS SECTION 8 & 15 RECEIVED	
Aug. 08, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 08, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Dec. 20, 2005	REGISTERED-PRINCIPAL REGISTER	
Nov. 09, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	77975
Nov. 07, 2005	ASSIGNED TO LIE	77975
Nov. 02, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 14, 2005	STATEMENT OF USE PROCESSING COMPLETE	64657
Sep. 06, 2005	USE AMENDMENT FILED	64657
Sep. 06, 2005	TEAS STATEMENT OF USE RECEIVED	
Mar. 15, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 21, 2004	PUBLISHED FOR OPPOSITION	
Dec. 01, 2004	NOTICE OF PUBLICATION	
Oct. 13, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	77975
Oct. 12, 2004	ASSIGNED TO LIE	77975
Oct. 12, 2004	ASSIGNED TO LIE	77975

Oct. 12, 2004	ASSIGNED TO LIE	77975
Sep. 07, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 07, 2004	ASSIGNED TO EXAMINER	74834
Mar. 03, 2004	NEW APPLICATION ENTERED IN TRAM	

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Dec. 20, 2015

**Amendment to a Registration/Renewal Certificate:** Issue New Certificate to: GOPRO, INC. (Delaware corporation) 3000 Clearview Way, BLDG E, San Mateo CA 94402

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Nov. 04, 2015

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 3

**Registrant:** Woodman Labs, Inc.

### Assignment 1 of 3

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [4927/0320](#)

**Pages:** 12

**Date Recorded:** Dec. 21, 2012

**Supporting Documents:** [assignment-tm-4927-0320.pdf](#)

### Assignor

**Name:** [WOODMAN LABS, INC.](#)

**Execution Date:** Dec. 21, 2012

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

### Assignee

**Name:** [JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**Address:** 500 STANTON CHRISTIANA ROAD, OPS 2  
JPMORGAN CHASE BANK, LOAN AND AGENCY SERVICES GROUP  
NEWARK, DELAWARE 19713

### Correspondent

**Correspondent Name:** WSGR, C/O NANCY BOUCH, SENIOR PARALEGAL

**Correspondent Address:** 650 PAGE MILL ROAD  
FH 2-1 P10  
PALO ALTO, CA 94304

### Domestic Representative - Not Found

### Assignment 2 of 3

**Conveyance:** CHANGE OF NAME

**Reel/Frame:** [5213/0669](#)

**Pages:** 4

**Date Recorded:** Feb. 10, 2014

**Supporting Documents:** [assignment-tm-5213-0669.pdf](#)

### Assignor

**Name:** [WOODMAN LABS, INC.](#)

**Execution Date:** Feb. 04, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

#### Assignee

Name: [GOPRO, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 3000 CLEARVIEW WAY  
BLDG E  
SAN MATEO, CALIFORNIA 94402

#### Correspondent

Correspondent Name: FENWICK & WEST LLP

Correspondent Address: 801 CALIFORNIA STREET  
MOUNTAIN VIEW, CA 94041

#### Domestic Representative - Not Found

#### Assignment 3 of 3

Conveyance: SECURITY AGREEMENT

Reel/Frame: [5759/0044](#)

Pages: 11

Date Recorded: Mar. 28, 2016

Supporting Documents: [assignment-tm-5759-0044.pdf](#)

#### Assignor

Name: [GOPRO, INC.](#)

Execution Date: Mar. 25, 2016

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

#### Assignee

Name: [JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 10 S DEARBORN, 7TH FLOOR, IL 1-1625  
CHICAGO, ILLINOIS 60603

#### Correspondent

Correspondent Name: IP RESEARCH PLUS, INC.

Correspondent Address: 21 TADCASTER CIRCLE  
ATTN: PENELOPE J.A. AGODOA  
WALDORF, MD 20602

#### Domestic Representative - Not Found

## Proceedings

#### Summary

Number of Proceedings: 3

#### Type of Proceeding: Opposition

Proceeding Number: [91223745](#)

Filing Date: Sep 09, 2015

Status: Terminated

Status Date: Dec 15, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

#### Defendant

Name: Ray Bao dba GoBro

Correspondent Address: RAY BAO  
GOBRO  
662 N CONEJO SCHOOL RD  
THOUSAND OAKS CA , 91362  
UNITED STATES

Correspondent e-mail: [theraybao@gmail.com](mailto:theraybao@gmail.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
GOBRO	Abandoned - After Inter-Partes Decision	<a href="#">86470890</a>	
Plaintiff(s)			

**Name:** GoPro, Inc.

**Correspondent Address:** CONNIE L ELLERBACH  
FENWICK & WEST LLP  
801 CALIFORNIA STREET  
MOUNTAIN VIEW CA , 94041  
UNITED STATES

**Correspondent e-mail:** [trademarks@fenwick.com](mailto:trademarks@fenwick.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
GOPRO	Renewed	<a href="#">78369572</a>	<a href="#">3032989</a>
GOPRO	Second Extension - Granted	<a href="#">86048206</a>	
GOPRO BE A HERO.	First Extension - Granted	<a href="#">86048215</a>	
GOPRO	Second Extension - Granted	<a href="#">85973328</a>	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 09, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 09, 2015	Oct 19, 2015
3	PENDING, INSTITUTED	Sep 09, 2015	
4	NOTICE OF DEFAULT	Nov 03, 2015	
5	BD DECISION: SUSTAINED	Dec 15, 2015	
6	TERMINATED	Dec 15, 2015	

#### Type of Proceeding: Opposition

**Proceeding Number:** [91217442](#)

**Filing Date:** Jul 18, 2014

**Status:** Terminated

**Status Date:** Jun 25, 2015

**Interlocutory Attorney:** ANDREW P BAXLEY

Defendant			
<b>Name:</b> Aliptek International Inc.			
<b>Correspondent Address:</b> ALAN D KAMRATH KAMRATH IP LAW FIRM PA 4825 OLSON MEMORIAL HWY, SUITE 245 GOLDEN VALLEY MN , 55422-5156 UNITED STATES			
<b>Correspondent e-mail:</b> <a href="mailto:alan@thelawfirm.cc">alan@thelawfirm.cc</a>			

Associated marks			
Mark	Application Status	Serial Number	Registration Number
GOPROJECTOR	Abandoned - After Inter-Partes Decision	<a href="#">86105383</a>	
Plaintiff(s)			

**Name:** GoPro, Inc.

**Correspondent Address:** CONNIE L ELLERBACK  
FENWICK & WEST LLP  
801 CALIFORNIA STREET  
MOUNTAIN VIEW CA , 94041  
UNITED STATES

**Correspondent e-mail:** [trademarks@fenwick.com](mailto:trademarks@fenwick.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number

GOPRO	Renewed	<a href="#">78369572</a>	<a href="#">3032989</a>
GOPRO	Second Extension - Granted	<a href="#">86048206</a>	
GOPRO BE A HERO.	First Extension - Granted	<a href="#">86048215</a>	
GOPRO	Second Extension - Granted	<a href="#">85973328</a>	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 18, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 18, 2014	Aug 27, 2014
3	PENDING, INSTITUTED	Jul 18, 2014	
4	ANSWER	Aug 27, 2014	
5	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Oct 27, 2014	
6	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Oct 27, 2014	
7	SUSPENDED	Nov 21, 2014	
8	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 24, 2014	
9	CORRECTION TO BD ORDER	Nov 25, 2014	
10	W/DRAW OF APPLICATION	Jun 22, 2015	
11	BD DECISION: SUSTAINED	Jun 25, 2015	
12	TERMINATED	Jun 25, 2015	

#### Type of Proceeding: Opposition

**Proceeding Number:** [91216035](#)

**Filing Date:** Apr 02, 2014

**Status:** Pending

**Status Date:** Apr 23, 2014

**Interlocutory Attorney:** CHRISTEN M ENGLISH

#### Defendant

**Name:** Ross Walmsley

**Correspondent Address:** ROSS WALMSLEY  
P O BOX 5452  
BRENDALD QLD , 4500  
AUSTRALIA

**Correspondent e-mail:** [sikkair@hotmail.com](mailto:sikkair@hotmail.com) , [ROSS-W@GOPROGROUP.COM.AU](mailto:ROSS-W@GOPROGROUP.COM.AU)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
GOPRO G	Opposition Pending	<a href="#">85825238</a>	

#### Plaintiff(s)

**Name:** GoPro, Inc. Formerly Woodman Labs, Inc.

**Correspondent Address:** CONNIE L ELLERBACH  
FENWICK & WEST LLP  
801 CALIFORNIA STREET  
MOUNTAIN VIEW CA , 94041  
UNITED STATES

**Correspondent e-mail:** [trademarks@fenwick.com](mailto:trademarks@fenwick.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
GOPRO	Renewed	<a href="#">78369572</a>	<a href="#">3032989</a>
GOPRO	Second Extension - Granted	<a href="#">86048206</a>	
GOPRO BE A HERO.	First Extension - Granted	<a href="#">86048215</a>	
GOPRO	Second Extension - Granted	<a href="#">85973328</a>	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 02, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 23, 2014	Jun 02, 2014
3	PENDING, INSTITUTED	Apr 23, 2014	

4	D REQ TO W/DRAW AS ATTORNEY	May 19, 2014	
5	D REQ TO W/DRAW AS ATTORNEY	May 20, 2014	
6	RESPONSE DUE 30 DAYS (DUE DATE)	Jun 24, 2014	Jul 24, 2014
7	D REQ TO W/DRAW AS ATTORNEY	Jun 24, 2014	
8	RESPONSE DUE 30 DAYS (DUE DATE)	Jul 28, 2014	Aug 27, 2014
9	D RESP TO BD ORDER/INQUIRY	Aug 27, 2014	
10	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 26, 2014	Oct 26, 2014
11	ANSWER	Oct 27, 2014	
12	D MOT FOR EXT W/ CONSENT	Nov 26, 2014	
13	EXTENSION OF TIME GRANTED	Nov 26, 2014	
14	D MOT FOR EXT W/ CONSENT	Apr 30, 2015	
15	EXTENSION OF TIME GRANTED	Apr 30, 2015	
16	STIP FOR EXT	Jul 13, 2015	
17	EXTENSION OF TIME GRANTED	Jul 13, 2015	
18	D REQ TO W/DRAW AS ATTORNEY	Sep 23, 2015	
19	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 29, 2015	Oct 29, 2015
20	D RESP TO BD ORDER/INQUIRY	Nov 02, 2015	
21	PROCEEDINGS RESUMED	Nov 04, 2015	
22	UNDELIVERABLE MAIL	Dec 22, 2015	



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Fri Apr 15 03:21:11 EDT 2016

- TESS HOME
- NEW USER
- STRUCTURED
- FREE FORM
- BROWSE DICT
- SEARCH OG
- BOTTOM
- HELP
- PREV LIST
- CURR LIST
- NEXT LIST
- FIRST DOC
- PREV DOC
- NEXT DOC
- LAST DOC

Logout

Please logout when you are done to release system resources allocated for you.

Start

List At:

OR

Jump

to record:

Record 12 out of 14

- TSDR
- ASSIGN Status
- TTAB Status
- ( Use the "Back" button of the Internet Browser to return to TESS)



Word Mark	GOPRO
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Photographic equipment, namely, [ film cameras and ] digital cameras, cases and housings for cameras and camera straps. FIRST USE: 20040113. FIRST USE IN COMMERCE: 20040912
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78369572
Filing Date	February 17, 2004
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	December 21, 2004
Registration Number	3032989
Registration Date	December 20, 2005
Owner	(REGISTRANT) Woodman Labs, Inc. CORPORATION CALIFORNIA 3000 Clearview Way, Bldg E San Mateo CALIFORNIA 94402  (LAST LISTED OWNER) GOPRO, INC. CORPORATION DELAWARE 3000 CLEARVIEW WAY SAN MATEO CALIFORNIA 94402
Assignment	

<b>Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Connie L. Ellerbach
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Affidavit Text</b>	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20151104.
<b>Renewal</b>	1ST RENEWAL 20151104
<b>Live/Dead Indicator</b>	<b>LIVE</b>

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[TOP](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)
[NEXT LIST](#)
[FIRST DOC](#)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of  
Trademark Application Serial No. 85/825,238  
Mark: GOPRO G (and design)

GoPro, Inc.	)	
	)	
vs.	)	Opposition No. 91216035
Ross Walmsley,	)	
Applicant.	)	
	)	

**OPPOSER’S NOTICE OF RELIANCE  
PURSUANT TO 37 CFR § 2.120(j) ON APPLICANT’S RULE 36 ADMISSIONS**

Pursuant to 37 CFR § 2.120(j) and Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) § 704.02, GoPro, Inc. (“Opposer”), submits this Notice of Reliance and offers into evidence in this proceeding the admissions of Ross Walmsley (“Applicant”) to Opposer’s First Set of Requests for Admission (“RFA”).

On February 3, 2016, Opposer served Applicant by mail with Opposer’s RFA at Applicant’s two separate addresses. Attached as Exhibit B is a copy of Opposer’s RFA. Opposer also sent a courtesy copy of the RFA by email to Applicant’s two email addresses. Attached as Exhibit C is a copy of the email to Applicant that attached the RFA. Applicant did not respond with a written answer or objection (or otherwise) within 30 days. Nor has Applicant ever responded to the RFA since then. Accordingly, pursuant to Federal Rule of Civil Procedure 36(a)(3) and TBMP § 407.03(a), each of the requested admissions contained within the RFA is admitted.

Each of Applicant’s admissions is pertinent to at least one of the *du Pont* factors, supports the facts alleged in the Notice of Opposition, supports Opposer’s trial briefing, and is therefore

relevant to this proceeding. *See generally Safer Inc. v. OMS Investments, Inc.*, 94 USPQ2d 1031, 1040 (TTAB 2012); *see also In re E.I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). In particular, Applicant's admissions support a finding that the GOPRO G mark, applied for in Trademark Application Serial No. 85/825,238, is likely to be confused with Opposer's Registration No. 3,032,989 for the GOPRO mark. The relation of each admission—enumerated in the attached RFA—to at least one *du Pont* factor is summarized and organized below.

1. The similarity of the marks in their entirety as to appearance, sound, connotation, and commercial impression.

A. Admissions Nos. 34 – 39; 59 – 77

Applicant admits that the GOPRO G mark is “virtually identical” to Opposer's mark, both visually and auditorily. Furthermore, Applicant admits that the GOPRO G mark creates the same impression as Opposer's mark, and that he selected the GOPRO G mark on the basis of its strong visual and auditory resemblance to Opposer's mark.

B. Admissions Nos. 78 – 79

Applicant admits that his GOPRO G mark will create confusion as to the origin or affiliation of his products and the Opposer's products.

2. The similarity and nature of the goods described in an application or registration or in connection with which a prior mark is in use.

A. Admissions Nos. 13 – 15; 29 – 33

Applicant admits that the goods and services listed in his GOPRO G application are related to the good and services Opposer markets under the GOPRO mark. Further, Applicant admits that the goods and services listed in his GOPRO G application can be, and are intended to be used in connection with Opposer's products. Finally, Applicant admits that his desire to

create this suggested affiliation was and is partly motivated by his understanding that consumers use his goods and services with Opposer's goods and services.

**C. Admissions Nos. 78 – 81**

Applicant admits that he is seeking a business relationship with Opposer, and specifically chose the GOPRO G mark because it would likely be confused with and used with Opposer's goods and services.

3. The similarity of established, likely-to-continue trade channels.

**A. Admissions Nos. 16 – 28**

Applicant admits that he currently markets and sells, and intends to continue marketing and selling the goods and services listed in his GOPRO G application, using the same and similar trade channels as Opposer uses in selling and marketing its goods and services.

**B. Admissions Nos. 40 – 49**

Applicant admits that his use and continuing use of trade channels that overlap with Opposer will create a likelihood of confusion regarding the origin and affiliation of his goods and services with Opposer's good and services.

4. The conditions under which and buyers to whom sales are made.

**A. Admissions Nos. 7 – 12**

Applicant admits that he and Opposer sell products to both sophisticated and unsophisticated buyers. Further, applicant admits that he and Opposer have overlapping customers.

**B. Admissions Nos. 46 – 52**

Applicant admits that the goods and services listed in his application are offered/marketed to some of the same customers, and in the same trade channels as Opposer's goods and services.



Further, applicant admits that his application does not contain limitations on customers or trade channels.

5. Fame of the prior mark.

A. **Admissions Nos. 1 – 6; 53 – 58; 81**

Applicant admits Opposer's GOPRO mark is and was famous at all relevant times. Further, Applicant admits that Opposer registered its mark prior to his use of the GOPRO G mark, and that he was aware of Opposer's registration and mark at the time he selected the GOPRO G mark. Moreover, Applicant admits that the similarity to Opposer's famous mark motivated his GOPRO G mark selection. Finally, Applicant admits that the GOPRO G mark will impair the distinctiveness of Opposer's GOPRO mark.

6. The extent of potential confusion.

A. **Admissions Nos. 78 – 81**

Applicant admits that his GOPRO G mark will create confusion as to the origin or affiliation of his goods and services with Opposer's goods and services offered under the GOPRO mark. Applicant further admits that the GOPRO G mark will impair the distinctiveness of Opposer's GOPRO mark.

Opposer's submission of the foregoing material is without prejudice to Opposer's right to object to its use by Applicant pursuant to the Federal Rules of Evidence, Board rules and procedures, and any applicable rule or precedent.

Dated: April 22, 2016

/cle1087/

Connie L. Ellerbach  
Eric J. Ball  
Mark A. Jansen  
Attorneys for Opposer  
FENWICK & WEST LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
(650) 988-8500  
trademarks@fenwick.com

PROOF OF SERVICE BY MAIL

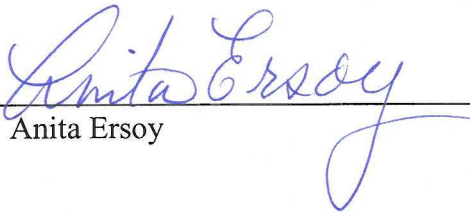
I declare that:

I am employed in the County of Santa Clara, California. I am over the age of eighteen years and not a party to the within cause; my business address is Silicon Valley Center, 801 California Street, Mountain View, CA 94041. On the date indicated below, I served the OPPOSER'S NOTICE OF RELIANCE PURSUANT TO 37 CFR § 2.120(j) ON APPLICANT'S RULE 36 ADMISSIONS on the interested parties in said case, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mountain View, California, addressed as follows:

Ross Walmsley  
P.O. Box 5452  
Brendale QLD 4500  
Australia

Ross Walmsley  
11 Heath Ct.  
4226 Cashmere  
Australia

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 22nd day of April, 2016.

  
Anita Ersoy



# EXHIBIT B

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

GoPro, Inc.	)	
	)	
Opposer,	)	
vs.	)	Opposition No. 91216035
	)	
Ross Walmsley,	)	
Applicant.	)	
	)	

**OPPOSER GOPRO, INC.’S FIRST SET OF REQUESTS FOR ADMISSION TO  
APPLICANT ROSS WALMSLEY**

PROPOUNDING PARTY:                    OPPOSER, GOPRO, INC.


RESPONDING PARTY:                    APPLICANT, ROSS WALMSLEY

SET NO.:                                    ONE (1)

Pursuant to Trademark Rule of Practice 2.120 and Federal Rule of Civil Procedure 36, Opposer GoPro, Inc. (“GoPro”) requests that Applicant Ross Walmsley (“Walmsley”) admit to the truth of each of the following requests, in accordance with the terms, conditions, and provisions of Rule 36 within thirty (30) days from the date of service hereof. Each of the matters hereinafter listed in the admissions shall be deemed admitted, unless Walmsley makes and delivers a statement and response as provided in Rule 36.

**DEFINITIONS**

The following terms, as used herein, have the following meanings:

1. “You,” “Your” or “Mr. Walmsley” means the named Applicant, Ross Walmsley, and/or any individual or corporate name under which it is doing or has done business, and its predecessors, affiliates, officers, employees, agents, and attorneys.
2. “GoPro” means the named Opposer, GoPro, Inc.
3. “Person” or “Persons” includes, but is not limited to, any natural persons, companies, corporations, sole proprietorships, governmental entities, partnerships, associations, banks and other financial institutions, and all other entities similar to those listed above.
4. “Mark” means any word, name, symbol, design, shape, number, slogan, or device, or any combination thereof, that is used by a Person to identify and distinguish the Person’s services from the services of others.
5. “GOPRO G” means the  Mark as used or intended to be used by You in connection with Your Goods and Services, including as set forth in U.S. Trademark Application Serial No. 85/825,238.
6. “Your Goods and Services” refers to any and all services that You have advertised, marketed, offered for sale, distributed, rendered, or otherwise caused to be provided or that You intend to advertise, market, offer for sale, distribute, render, or otherwise cause to be provided in connection with GOPRO G.
7. “GOPRO” means GoPro’s Marks as used by GoPro or for which GoPro has publicly announced the intention to use in connection with GoPro’s goods and services, including as set forth in U.S. Trademark Registration No. 3,032,989, and U.S. Trademark Application Serial Nos. 86,048,206, 86,048,215, 85,973,328 and 86,746,656.
8. “GoPro’s Goods and Services” refers to any and all goods or services that GoPro has advertised, marketed, offered for sale, distributed, rendered, or otherwise caused to be provided or that GoPro has publicly announced the intention to advertise, market, offer for sale, distribute, render, or otherwise cause to be provided under or in connection with the GOPRO Mark; these goods and services include all goods and services set forth in U.S. Trademark

Registration Nos. 3,032,989, and U.S. Trademark Application Serial Nos. 86,048,206, 86,048,215, 85,973,328 and 86,746,656.

9. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the request all responses that might otherwise be construed to be outside of its scope.

10. The use of the singular form of any word includes the plural and vice versa.

11. Each paragraph herein shall be construed independently and not by reference to any other paragraph for the purpose of limitation.

### **INSTRUCTIONS**

1. Pursuant to the requirements of Federal Rule of Civil Procedure 36(a), You are requested to:

(A) respond not only to statements or opinions of fact, but also to the application of law to fact;

(B) give lack of information or knowledge as a reason for failure to admit or deny a request only if You have made reasonable inquiry as to the request; and

(C) comply with the requirement that if good faith requires You to qualify an answer or deny only a part of the matter of which an admission is requested, You specify so much of the request as is true and qualify or deny the remainder.

2. If your response to a particular request is a statement that you lack the ability to understand a word or phrase in the request, please use the common and reasonable interpretation of the word or phrase and explain your interpretation of the word or phrase.

3. These Requests are continuing and ask for supplementation of responses to the Requests below of any information that is in existence or known to exist as of the date of these Requests or subsequently created or discovered, except that the requester does not agree to the withdrawal of admissions.

## **REQUESTS FOR ADMISSION**

### **REQUEST FOR ADMISSION NO. 1.**

Admit that GoPro's rights in the GOPRO Mark predate any rights You claim in GOPRO G.

### **REQUEST FOR ADMISSION NO. 2.**

Admit that GoPro used the GOPRO Mark before You began using GOPRO G.

### **REQUEST FOR ADMISSION NO. 3.**

Admit that the registration date for U.S. Trademark Registration No. 3,032,989 for the GOPRO Mark predates the filing date of Your GOPRO G application.

### **REQUEST FOR ADMISSION NO. 4.**

Admit that the GOPRO Mark is famous.

### **REQUEST FOR ADMISSION NO. 5.**

Admit that the GOPRO Mark was famous at the time YOU adopted GOPRO G for use on Your Goods and Services.

### **REQUEST FOR ADMISSION NO. 6.**

Admit that the GOPRO Mark was famous at the time YOU applied to register GOPRO G for use on Your Goods and Services.

### **REQUEST FOR ADMISSION NO. 7.**

Admit that Your Goods and Services are sold or provided to unsophisticated customers.

### **REQUEST FOR ADMISSION NO. 8.**

Admit that GoPro's Goods and Services are sold or provided to unsophisticated customers.

### **REQUEST FOR ADMISSION NO. 9.**

Admit that Your Goods and Services are sold or provided to sophisticated customers.

### **REQUEST FOR ADMISSION NO. 10.**

Admit that GoPro's Goods and Services are sold or provided to sophisticated customers.

**REQUEST FOR ADMISSION NO. 11.**

Admit that Your Goods and Services are sold or provided to some of the same customers as GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 12.**

Admit that Your Goods and Services are not sold or provided to some of the same customers as GoPro's Services.

**REQUEST FOR ADMISSION NO. 13.**

Admit that Your Goods and Services are related to GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 14.**

Admit that Your Goods and Services can be used in connection with GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 15.**

Admit that Your Goods and Services are intended to be used in connection with GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 16.**

Admit that GoPro offers a wide variety of goods and services.

**REQUEST FOR ADMISSION NO. 17.**

Admit that Your Goods and Services are sold or provided over the Internet.

**REQUEST FOR ADMISSION NO. 18.**

Admit that Your Goods and Services are advertised via the Internet.

**REQUEST FOR ADMISSION NO. 19.**

Admit that You intend to advertise Your Goods and Services via the Internet.

**REQUEST FOR ADMISSION NO. 20.**

Admit that GoPro's Goods and Services are sold or provided over the Internet.

**REQUEST FOR ADMISSION NO. 21.**

Admit that GoPro's Goods and Services are advertised via the Internet.

**REQUEST FOR ADMISSION NO. 22.**

Admit that Your Goods and Services are sold or provided in retail locations.

**REQUEST FOR ADMISSION NO. 23.**

Admit that Your Goods and Services are intended to be sold or provided in retail locations.

**REQUEST FOR ADMISSION NO. 24.**

Admit that GoPro's Goods and Services are sold or provided in retail locations.

**REQUEST FOR ADMISSION NO. 25.**

Admit that Your Goods and Services are sold in the same establishments or locations as GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 26.**

Admit that Your Goods and Services are intended to be sold in the same establishments or locations as GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 27.**

Admit that You sell or provide Your Goods and Services in the same establishments or locations as GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 28.**

Admit that You intend to sell or provide Your Goods and Services in the same establishments or locations as GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 29.**

Admit that You selected the GOPRO G mark because Your Goods and Services are used or likely to be used with GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 30.**

Admit that You chose to use the GOPRO G mark because Your Goods and Services are used or likely to be used with GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 31.**

Admit that You intend to use the GOPRO G mark because Your Goods and Services are compatible with GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 32.**

Admit that You selected the GOPRO G mark to suggest an affiliation with the GOPRO Mark.

**REQUEST FOR ADMISSION NO. 33.**

Admit that You intend to use the GOPRO G mark to suggest an affiliation with the GOPRO Mark.

**REQUEST FOR ADMISSION NO. 34.**

Admit that You chose to use GOPRO G because it looks like the GOPRO Mark.

**REQUEST FOR ADMISSION NO. 35.**

Admit that You intend to use GOPRO G because it looks like the GOPRO Mark.

**REQUEST FOR ADMISSION NO. 36.**

Admit that You chose to use GOPRO G because it sounds like the GOPRO Mark.

**REQUEST FOR ADMISSION NO. 37.**

Admit that You intend to use GOPRO G because it sounds like the GOPRO Mark

**REQUEST FOR ADMISSION NO. 38.**

Admit that You chose to use GOPRO G because it is similar to the GOPRO Mark.

**REQUEST FOR ADMISSION NO. 39.**

Admit that You intend to use GOPRO G because it is similar to the GOPRO Mark.

**REQUEST FOR ADMISSION NO. 40.**

Admit that the marketing channels You are using to promote, offer or sell Your Goods and Services are likely to lead consumers to assume there is a relationship with GoPro.



**REQUEST FOR ADMISSION NO. 41.**

Admit that the marketing channels You are using to promote, offer or sell Your Goods and Services is likely to lead consumers to assume there is an affiliation with GoPro.

**REQUEST FOR ADMISSION NO. 42.**

Admit that the marketing channels You are using to promote, offer or sell Your Goods and Services is likely to create consumer confusion.

**REQUEST FOR ADMISSION NO. 43.**

Admit that promoting, offering or selling Your Goods and Services in retail establishments or locations is likely to lead consumers to assume there is a relationship with GoPro.

**REQUEST FOR ADMISSION NO. 44.**

Admit that promoting, offering or selling Your Goods and Services in retail establishments or locations is likely to lead consumers to assume there is an affiliation with GoPro.

**REQUEST FOR ADMISSION NO. 45.**

Admit that promoting, offering or selling Your Goods and Services in retail establishments or locations is likely to create consumer confusion.

**REQUEST FOR ADMISSION NO. 46.**

Admit that U.S. Trademark Application Serial No. 85/825,238 is not restricted to any class of customers.

**REQUEST FOR ADMISSION NO. 47.**

Admit that U.S. Trademark Application Serial No. 85/825,238 does not contain any limitation on the channels of trade.

**REQUEST FOR ADMISSION NO. 48.**

Admit that Your Goods and Services are sold, offered or marketed to the general public.

**REQUEST FOR ADMISSION NO. 49.**

Admit that GoPro's Goods and Services are sold, offered or marketed to the general public.

**REQUEST FOR ADMISSION NO. 50.**

Admit that Your Goods and Services are marketed to some of the same customers as GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 51.**

Admit that Your Goods and Services are offered to some of the same customers as GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 52.**

Admit that Your Goods and Services are sold or provided to some of the same customers as GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 53.**

Admit that You were aware of GoPro at the time You adopted GOPRO G.

**REQUEST FOR ADMISSION NO. 54.**

Admit that prior to January 16, 2013, You were aware of the website GoPro.com.

**REQUEST FOR ADMISSION NO. 55.**

Admit that prior to January 16, 2013, You were aware of some of GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 56.**

Admit that prior to January 16, 2013, You were aware of GoPro's GOPRO Mark.

**REQUEST FOR ADMISSION NO. 57.**

Admit that You were aware of GoPro at the time You filed U.S. Trademark Application Serial No. 85/825,238.

**REQUEST FOR ADMISSION NO. 58.**

Admit that You were aware of GoPro's use of the GOPRO Mark at the time You filed U.S. Trademark Application Serial No. 85/825,238.

**REQUEST FOR ADMISSION NO. 59.**

Admit that You adopted GOPRO G to refer to GoPro.

**REQUEST FOR ADMISSION NO. 60.**

Admit that You adopted GOPRO G because it is virtually identical to GoPro's Marks, specifically the Mark in Registration No. 3,032,989.

**REQUEST FOR ADMISSION NO. 61.**

Admit that You adopted GOPRO G because it is similar to GoPro's Marks, specifically the Mark in Registration No. 3,032,989.

**REQUEST FOR ADMISSION NO. 62.**

Admit that you designed or created "GOPRO G", including capitalizing the letter "G", so that it would appear virtually identical or similar to GoPro's Marks, specifically the Mark in Registration No. 3,032,989.

**REQUEST FOR ADMISSION NO. 63.**

Admit that GOPRO G is based on GoPro's Marks, specifically the Mark in Registration No. 3,032,989.

**REQUEST FOR ADMISSION NO. 64.**

Admit that the "GoPro" portion of "GOPRO G" is identical to GoPro's Marks, specifically the Mark in Registration No. 3,032,989.

**REQUEST FOR ADMISSION NO. 65.**

Admit that the "GOPRO" portion of "GOPRO G" is similar to GoPro's Marks, specifically the Mark in Registration No. 3,032,989.

**REQUEST FOR ADMISSION NO. 66.**

Admit that the “GOPRO” portion of “GOPRO G” looks like GoPro’s Marks, specifically the Mark in Registration No. 3,032,989.

**REQUEST FOR ADMISSION NO. 67.**

Admit that GOPRO G looks like GOPRO.

**REQUEST FOR ADMISSION NO. 68.**

Admit that the GOPRO G contains the GOPRO Mark.

**REQUEST FOR ADMISSION NO. 69.**

Admit that the most prominent portion of GOPRO G is the word “GOPRO”.

**REQUEST FOR ADMISSION NO. 70.**

Admit that the dominant portion of GOPRO G is the word “GOPRO”.

**REQUEST FOR ADMISSION NO. 71.**

Admit that GOPRO G sounds like GOPRO.

**REQUEST FOR ADMISSION NO. 72.**

Admit that the first portion of GOPRO G sounds like GOPRO.

**REQUEST FOR ADMISSION NO. 73.**

Admit that the “GOPRO” portion of GOPRO G sounds like GOPRO.

**REQUEST FOR ADMISSION NO. 74.**

Admit that GOPRO G has the same meaning as GOPRO.

**REQUEST FOR ADMISSION NO. 75.**

Admit that GOPRO G has a similar meaning as GOPRO.

**REQUEST FOR ADMISSION NO. 76.**

Admit that GOPRO G contains the word “GOPRO”.

**REQUEST FOR ADMISSION NO. 77.**

Admit that the only difference in the letters in GOPRO G and GOPRO is Your addition of “G.”

**REQUEST FOR ADMISSION NO. 78.**

Admit that GOPRO G creates a likelihood of confusion, mistake, or deception as to source, origin, or sponsorship with GOPRO and GoPro's Goods and Services.

**REQUEST FOR ADMISSION NO. 79.**

Admit that GOPRO G creates a likelihood of confusion, mistake, or deception as to Your affiliation, connection, or association with GoPro.

**REQUEST FOR ADMISSION NO. 80.**

Admit that You are seeking a business relationship with GoPro to sell Your Goods and Services.

**REQUEST FOR ADMISSION NO. 81.**

Admit that GOPRO G is likely to impair the distinctiveness of GOPRO.

Dated: February 3, 2016



Connie Ellerbach, Esq.

Mark Jansen, Esq.

FENWICK & WEST LLP

801 California Street

Mountain View, CA 94041

(650) 988-8500

Attorneys for Opposer, GoPro, Inc.

PROOF OF SERVICE

I declare that:

I am employed in the County of Santa Clara, California.

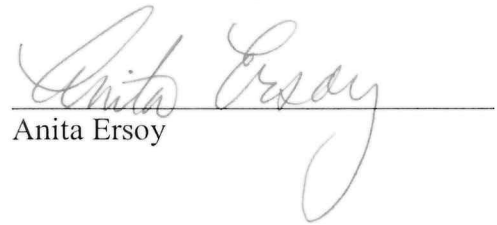
I am over the age of eighteen years and not a party to the within cause; my business address is Silicon Valley Center, 801 California Street, Mountain View, California 94041. On the date indicated below, I served **Opposer GoPro, Inc.'s First Set of Requests for Admission to Applicant Ross Walmsley**, on the interested parties in said cause, by sending by U.S. mail a true copy thereof as indicated below, addressed as follows:

Ross Walmsley  
P.O. Box 5452  
Brendale QLD 4500  
Australia

Ross Walmsley  
11 Heath Ct.  
4226 Cashmere  
Australia

- ☒ **BY US MAIL:** by placing the document(s) listed above in a sealed envelope for collection and mailing following our ordinary business practices. I am readily familiar with our ordinary business practices for collecting and processing mail for the United States Postal Service, and mail that I place for collection and processing is regularly deposited with the United States Postal Service that same day with postage prepaid.
- ☐ **BY E-MAIL:** by mutual agreement between the parties, causing to be transmitted via e-mail the document(s) listed above to the addressee(s) at the e-mail address(es) listed above.
- ☐ **BY PERSONAL DELIVERY:** by causing to be personally delivered the document(s) listed above to the addressee(s) at the address(es) set forth above.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 3<sup>rd</sup> of February, 2016.


  
Anita Ersoy

# EXHIBIT C

**From:** Mark Jansen [<mailto:mjansen@fenwick.com>]  
**Sent:** Wednesday, February 03, 2016 5:08 PM  
**To:** 'ross.qrw@gmail.com'; 'ross.w@goprogroup.com.au'  
**Cc:** Connie Ellerbach; tm  
**Subject:** GOPRO G (and design) Opposition in the US (Opposition No. 91216035)

Dear Mr. Walmsley,

Attached are courtesy copies of GoPro's discovery requests for US Opposition No. 91216035 regarding

the  application (Serial No. 85/825,238). You will receive hardcopies in the mail.

Regards,  
Mark

**Mark Jansen** | Associate, IP Group | Fenwick & West LLP  
801 California St. | Mountain View, CA 94041 | T: 650-335-7867  
[mjansen@fenwick.com](mailto:mjansen@fenwick.com)

[G\_20459]

**From:** [ross.qrw@gmail.com](mailto:ross.qrw@gmail.com) [<mailto:ross.qrw@gmail.com>] **On Behalf Of** Ross Walmsley  
**Sent:** Tuesday, October 20, 2015 5:43 PM  
**To:** Mark Jansen  
**Subject:** Re Opposition no 91216035

Dear Mark,

Re Opposition matter no 91216035 Gopro inc v Ross Walmsley

I write to you to advise that i will represent myself in the above matter as of 21/10/2015  
All correspondence to the below email or PO Box

Ross Walmsley  
Chief Executive Officer  
GoPro Group

PO Box 5452  
Brendale QLD 4500  
T: +610423552236 E: [ross.w@goprogroup.com.au](mailto:ross.w@goprogroup.com.au)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of  
Trademark Application Serial No. 85/825,238  
Mark: GOPRO G (and design)

GoPro, Inc.	)		
	)		
vs.	)	Opposer,	Opposition No. 91216035
	)		
Ross Walmsley,	)		
	)	Applicant.	
	)		

**OPPOSER'S NOTICE OF RELIANCE  
PURSUANT TO 37 CFR § 2.122(e) ON THIRD-PARTY REGISTRATIONS**

Pursuant to 37 CFR § 2.122(e), and Trademark Trial and Appeal Board Manual of Procedure ("TBMP") §704.03(b)(1)(B), GoPro, Inc. ("Opposer"), submits this Notice of Reliance and offers into evidence in this proceeding the third-party registrations attached as Exhibits D – R. The offered third-party registrations are summarized below:

Exhibit	Owner	Mark	Registration No.	Goods Identified
D	Red Bull GmbH	CRASHED ICE	4553733	cameras and drinks, energy drinks
E	Red Bull GmbH	AIR RACE	4545573	cameras and drinks, energy drinks
F	Red Bull GmbH	RED BULL MOBILE and Design	4270232	cameras and drinks, energy drinks
G	Red Bull GmbH	RED BULL and Design	3718691	cameras and drinks, energy drinks
H	Christopher Clive Froome	VA VA FROOME	4861822	cameras and drinks, energy drinks
I	DGeneration, Inc.	LIVE LAUGH LOVE	3965302	cameras and drinks, energy drinks

Exhibit	Owner	Mark	Registration No.	Goods Identified
J	Utique, Inc.	GET SET TO JET SET	4256347	cameras and drinks, energy drinks
K	Utique, Inc.	BECAUSE TIME IS A LUXURY	4171113	cameras and drinks, energy drinks
L	Utique, Inc.	UTIQUE SHOP and Design	4180739	cameras and drinks, energy drinks
M	Quidsi, Inc.	LESS SCHLEP. MORE SHOP.	4013859	cameras and drinks, energy drinks
N	Quidsi, Inc.	GET STUFF DONE	3991089	cameras and drinks, energy drinks
O	Rovio Entertainment Ltd.	TOONS and Design	4853357	cameras and drinks, energy drinks
P	Dorna WSBK Organization S.r.l.	SBK and Design	4329886	cameras and drinks, energy drinks
Q	Jean-Claude Van Varenberg	JCVD and Design	4527442	cameras and drinks, energy drinks
R	Fédération Internationale de Volleyball	FIVB	4244266	cameras and drinks, energy drinks

These third-party registrations support both Opposer's trial briefing as well as the facts alleged in the Notice of Opposition, and are therefore relevant to this proceeding. In particular, these registrations—covering both cameras and energy drinks—evidence the relatedness of Opposer and Applicant's goods and markets, as both of these goods appear in their respective GOPRO registration and GOPRO G application. Thus, these third-party registrations support a finding that the GOPRO G mark, applied for in Trademark Application Serial No. 85/825,238, is likely to be confused with Opposer's Registration No. 3,032,989 for the GOPRO mark. *See, e.g., In re Mucky Duck Mustard Co.*, 6 USPQ2d 1467, 1470 n.6 (TTAB), *aff'd per curiam*, 864 F.2d

149 (Fed. Cir. 1988) (explaining that third-party registrations may suggest that different goods are of a type that commonly emanate from a single source); *see also In re E.I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973) (defining the “relatedness” of the parties’ goods as a relevant factor in determining the likelihood of confusion between marks).

Opposer’s submission of the foregoing material is without prejudice to Opposer’s right to object to its use by Applicant pursuant to the Federal Rules of Evidence, Board rules and procedures, and any applicable rule or precedent.

Dated: April 22, 2016

/cle1087/

Connie L. Ellerbach  
Eric J. Ball  
Mark A. Jansen  
Attorneys for Opposer  
FENWICK & WEST LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
(650) 988-8500  
trademarks@fenwick.com

PROOF OF SERVICE BY MAIL

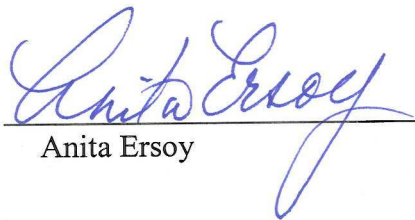
I declare that:

I am employed in the County of Santa Clara, California. I am over the age of eighteen years and not a party to the within cause; my business address is Silicon Valley Center, 801 California Street, Mountain View, CA 94041. On the date indicated below, I served the OPPOSER'S NOTICE OF RELIANCE PURSUANT TO 37 CFR § 2.122(e) ON THIRD-PARTY REGISTRATIONS, on the interested parties in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mountain View, California, addressed as follows:

Ross Walmsley  
P.O. Box 5452  
Brendale QLD 4500  
Australia

Ross Walmsley  
11 Heath Ct.  
4226 Cashmere  
Australia

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 22nd day of April, 2016.

  
\_\_\_\_\_  
Anita Ersoy

# EXHIBIT D





## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

Logout

Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

# CRASHED ICE

**Word Mark** CRASHED ICE

**Goods and Services**

IC 009. US 021 023 026 036 038. G & S: Photographic, cinematographic, optical, weighing, measuring, signaling, checking, supervision and teaching apparatus and instruments, namely, cameras, cinematographic projectors, goggles for sports, binoculars, laser pointers, scales, wind, air and speed measuring instruments; alarms, namely, burglar alarms, fire alarms, anti-intrusion alarms, personal security alarms, and smoke alarms; signal and warning bells, electric buzzers, sirens, safety and warning flags, marking and signaling buoys, electronic sensors; apparatus for recording, transmission or reproduction of sound or images; walkie-talkies; portable telephones; prerecorded data carriers in the nature of video tapes, CD-ROMs, DVDs, magnetic data carriers and optical data carriers featuring music, games and video recordings on the subjects of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; electronic memory storage devices in the nature of blank USB flash drives and Secure Digital Memory cards; automatic vending machines and mechanisms for coin-operated apparatus; automatic photographic booths; apparatus for games adapted for use with television receivers only, not coin-operated video games; amusement apparatus adapted for use with television receivers only; data processing equipment and computers; machine readable data carriers with programs installed featuring the subjects of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; downloadable electronic publications in the nature of manuals, magazines, journals, newsletters, electronic books, blogs and photo books in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks. computer programs and software for use in providing information, accessing and downloading electronic publications, and for data acquisition in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; computer software applications for use in providing information, accessing and downloading electronic publications, and for data acquisition in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks, all for use with handheld mobile digital electronic devices and cell phones; computer games programs; mouse pads; protective clothing, namely, protective spectacles, protective masks not for medical purposes, protective helmets, in particular for sports purposes; protective shields, namely, ear, body and face protective shields; spectacles, spectacle frames, spectacle cases and holders, sunglasses, goggles for sports; headphones; special purpose containers, namely, cases, sheaths, housings, all specially adapted for walkie-talkies, portable telephones, headphones; magnets; luminous signs, luminous advertising signs; encoded magnetic identification bracelets

IC 014. US 002 027 028 050. G & S: Goods made of precious metals and their alloys, namely, trophies of precious metal, jewelry and personal ornaments, figurines, works of art of precious metal, keyrings of precious metals; badges of precious metal; jewelry including rings of precious metals, precious stones, cufflinks and tie pins; horological and chronometrical instruments; wrist watches and watch straps; cases for the aforesaid goods

IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper, cardboard and goods made from these materials, namely, table napkins, packaging of paper or cardboard; packaging containers and bags made of paper and cardboard; printed matter, namely, leaflets, brochures, catalogs, prospectuses, magazines, journals, photo books, graphic representations and folders in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks photographs; posters, paper transparencies, flags of paper; signboards of paper or cardboard; clipboards; stationery; transfers, stickers; labels, namely, iron-on labels not of textile; printed instructional and teaching material in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; plastic materials for packaging, namely, plastic bags; writing slates and black boards; writing and drawing implements, namely, square rulers; self-adhesive plastic films for decorative purposes; money clips

IC 018. US 001 002 003 022 041. G & S: Leather and imitations of leather and goods made from these materials, namely, bags, bags for sports, suitcases, small goods of leather, namely, purses, pocket wallets, key wallets; hand bags, briefcases, shopping bags, school satchels; backpacks, rucksacks; shoulder straps; trunks and travelling bags; travelling luggage of leatherware; umbrellas, parasols

IC 025. US 022 039. G & S: Clothing, footwear, headgear, namely t-shirts, blouses, sweaters, anoraks, wind resistant jackets, aprons, caps, hats, headbands, braces, belts, money-belts, sun visors; footwear for sports, football boots and studs, ski boots; non-slipping soles for shoes, sportswear, namely, jackets, shorts, pants, shirts, polo shirts, sweat shirts, sweat pants, skirts, jumpers, and visors

IC 028. US 022 023 038 050. G & S: Games and playthings, namely, board games, action figures, amusement game machines, electronic educational game machines for children, playing cards and card games; novelty items for practical jokes, namely, foam fingers, face masks and fake teeth; gymnastic and sporting articles, namely, gymnastic apparatus, gymnastic training stools, springboards, balance beams, balls for sports; winter sports equipment, namely, ice skates, roller skates, in-line skates, hockey skates, figure skates, skis, snowboards, and snowshoes; special purpose bags for sports equipment, namely, ice skates, skis; ski bindings, ski poles, edges for skis, coverings for skis, namely, seal skins; snowboard bindings; hockey sticks; roller skates, inline roller skates; snow globes; electronic games other than those adapted for use with television receivers only; coin-operated amusement game machines; elbow and knee pads

IC 041. US 100 101 107. G & S: Education, namely, providing, arranging and conducting classes, seminars, courses and workshops, in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; providing of training in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; entertainment, namely, a continuing program about sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, photography and energy drinks accessible by means of radio, television, web-based applications, mobile phone applications and computer networks; sporting and cultural activities, namely, the organization and staging of sports competitions and events; night clubs and discotheques; organization of exhibitions and fairs for cultural, sporting and educational purposes; film production; videotaping and microfilming for others; publication of electronic books and journals on-line, electronic desktop publishing, providing on-line non-downloadable electronic publications in the nature of manuals, magazines, journals, newsletters, electronic books, blogs and photo books in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks, providing online computer, video and electronic games; digital imaging services; music composition services; layout services, other than for advertising purposes

**Standard  
Characters  
Claimed**

(4) STANDARD CHARACTER MARK

**Mark Drawing Code**  
**Serial Number** 79114750  
**Filing Date** June 19, 2012  
**Current Basis** 66A  
**Original Filing Basis** 66A  
**Published for Opposition** April 8, 2014  
**Registration Number** 4553733  
**International Registration Number** 1116214  
**Registration Date** June 24, 2014  
**Owner** (REGISTRANT) Red Bull GmbH LIMITED LIABILITY COMPANY AUSTRIA Am Brunnen 1 A-5330 Fuschl am See AUSTRIA  
**Attorney of Record** Martin R. Greenstein  
**Description of Mark** Color is not claimed as a feature of the mark.  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml). Questions may be directed to [the TSDR Mailbox](#).

STATUS	DOCUMENTS	MAINTENANCE	<a href="#">Back to Search</a>	Print
<b>Generated on:</b> This page was generated by TSDR on 2016-04-21 18:00:42 EDT				
<b>Mark:</b> CRASHED ICE		<b>CRASHED ICE</b>		
<b>US Serial Number:</b>	79114750	<b>Application Filing Date:</b>	Jun. 19, 2012	
<b>US Registration Number:</b>	4553733	<b>Registration Date:</b>	Jun. 24, 2014	
<b>Register:</b>	Principal			
<b>Mark Type:</b>	Trademark, Service Mark			
<b>Status:</b>	Registered. The registration date is used to determine when post-registration maintenance documents are due.			
<b>Status Date:</b>	Jun. 24, 2014			
<b>Publication Date:</b>	Apr. 08, 2014			
<div>▼ <b>Mark Information</b></div> <div>▲ Collapse All</div>				
<b>Mark Literal Elements:</b>	CRASHED ICE			
<b>Standard Character Claim:</b>	Yes. The mark consists of standard characters without claim to any particular font style, size, or color.			
<b>Mark Drawing Type:</b>	4 - STANDARD CHARACTER MARK			
<b>Color(s) Claimed:</b>	Color is not claimed as a feature of the mark.			
<div>▼ <b>Related Properties Information</b></div>				
<b>International Registration Number:</b>	<a href="#">1116214</a>			
<b>International Registration Date:</b>	Oct. 25, 2011			

## ▼ Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Photographic, cinematographic, optical, weighing, measuring, signaling, checking, supervision and teaching apparatus and instruments, namely, cameras, cinematographic projectors, goggles for sports, binoculars, laser pointers, scales, wind, air and speed measuring instruments; alarms, namely, burglar alarms, fire alarms, anti-intrusion alarms, personal security alarms, and smoke alarms; signal and warning bells, electric buzzers, sirens, safety and warning flags, marking and signaling buoys, electronic sensors; apparatus for recording, transmission or reproduction of sound or images; walkie-talkies; portable telephones; prerecorded data carriers in the nature of video tapes, CD-ROMs, DVDs, magnetic data carriers and optical data carriers featuring music, games and video recordings on the subjects of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; electronic memory storage devices in the nature of blank USB flash drives and Secure Digital Memory cards; automatic vending machines and mechanisms for coin-operated apparatus; automatic photographic booths; apparatus for games adapted for use with television receivers only, not coin-operated video games; amusement apparatus adapted for use with television receivers only; data processing equipment and computers; machine readable data carriers with programs installed featuring the subjects of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; downloadable electronic publications in the nature of manuals, magazines, journals, newsletters, electronic books, blogs and photo books in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; computer programs and software for use in providing information, accessing and downloading electronic publications, and for data acquisition in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; computer software applications for use in providing information, accessing and downloading electronic publications, and for data acquisition in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks, all for use with handheld mobile digital electronic devices and cell phones; computer games programs; mouse pads; protective clothing, namely, protective spectacles, protective masks not for medical purposes, protective helmets, in particular for sports purposes; protective shields, namely, ear, body and face protective shields; spectacles, spectacle frames, spectacle cases and holders, sunglasses, goggles for sports; headphones; special purpose containers, namely, cases, sheaths, housings, all specially adapted for walkie-talkies, portable telephones, headphones; magnets; luminous signs, luminous advertising signs; encoded magnetic identification bracelets

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

**Class Status:** ACTIVE

**Basis:** 66(a)

**For:** Goods made of precious metals and their alloys, namely, trophies of precious metal, jewelry and personal ornaments, figurines, works of art of precious metal, keyrings of precious metals; badges of precious metal; jewelry including rings of precious metals, precious stones, cufflinks and tie pins; horological and chronometrical instruments; wrist watches and watch straps; cases for the aforesaid goods

**International Class(es):** 014 - Primary Class

**U.S Class(es):** 002, 027, 028, 050

**Class Status:** ACTIVE

<b>Basis:</b>	66(a)		
<b>For:</b>	Paper, cardboard and goods made from these materials, namely, table napkins, packaging of paper or cardboard; packaging containers and bags made of paper and cardboard; printed matter, namely, leaflets, brochures, catalogs, prospectuses, magazines, journals, photo books, graphic representations and folders in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks photographs; posters, paper transparencies, flags of paper; signboards of paper or cardboard; clipboards; stationery; transfers, stickers; labels, namely, iron-on labels not of textile; printed instructional and teaching material in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; plastic materials for packaging, namely, plastic bags; writing slates and black boards; writing and drawing implements, namely, square rulers; self-adhesive plastic films for decorative purposes; money clips		
<b>International Class(es):</b>	016 - Primary Class	<b>U.S Class(es):</b>	002, 005, 022, 023, 029, 037, 038, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Leather and imitations of leather and goods made from these materials, namely, bags, bags for sports, suitcases, small goods of leather, namely, purses, pocket wallets, key wallets; hand bags, briefcases, shopping bags, school satchels; backpacks, rucksacks; shoulder straps; trunks and travelling bags; travelling luggage of leatherware; umbrellas, parasols		
<b>International Class(es):</b>	018 - Primary Class	<b>U.S Class(es):</b>	001, 002, 003, 022, 041
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Clothing, footwear, headgear, namely t-shirts, blouses, sweaters, anoraks, wind resistant jackets, aprons, caps, hats, headbands, braces, belts, money-belts, sun visors; footwear for sports, football boots and studs, ski boots; non-slipping soles for shoes, sportswear, namely, jackets, shorts, pants, shirts, polo shirts, sweat shirts, sweat pants, skirts, jumpers, and visors		
<b>International Class(es):</b>	025 - Primary Class	<b>U.S Class(es):</b>	022, 039
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Games and playthings, namely, board games, action figures, amusement game machines, electronic educational game machines for children, playing cards and card games; novelty items for practical jokes, namely, foam fingers, face masks and fake teeth; gymnastic and sporting articles, namely, gymnastic apparatus, gymnastic training stools, springboards, balance beams, balls for sports; winter sports equipment, namely, ice skates, roller skates, in-line skates, hockey skates, figure skates, skis, snowboards, and snowshoes; special purpose bags for sports equipment, namely, ice skates, skis; ski bindings, ski poles, edges for skis, coverings for skis, namely, seal skins; snowboard bindings; hockey sticks; roller skates, inline roller skates; snow globes; electronic games other than those adapted for use with television receivers only; coin-operated amusement game machines; elbow and knee pads		
<b>International Class(es):</b>	028 - Primary Class	<b>U.S Class(es):</b>	022, 023, 038, 050
<b>Class Status:</b>	ACTIVE		

<b>Basis:</b>	66(a)		
<b>For:</b>	Education, namely, providing, arranging and conducting classes, seminars, courses and workshops, in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; providing of training in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks; entertainment, namely, a continuing program about sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, photography and energy drinks accessible by means of radio, television, web-based applications, mobile phone applications and computer networks; sporting and cultural activities, namely, the organization and staging of sports competitions and events; night clubs and discotheques; organization of exhibitions and fairs for cultural, sporting and educational purposes; film production; videotaping and microfilming for others; publication of electronic books and journals on-line, electronic desktop publishing, providing on-line non-downloadable electronic publications in the nature of manuals, magazines, journals, newsletters, electronic books, blogs and photo books in the field of sports, downhill ice cross competitions, entertainment, culture, lifestyle, news, nutrition, health, photography and energy drinks, providing online computer, video and electronic games; digital imaging services; music composition services; layout services, other than for advertising purposes		
<b>International Class(es):</b>	041 - Primary Class	<b>U.S Class(es):</b>	100, 101, 107
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		

#### ▼ Basis Information (Case Level)

<b>Filed Use:</b>	No	<b>Currently Use:</b>	No	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	Yes	<b>Currently 66A:</b>	Yes		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

#### ▼ Current Owner(s) Information

<b>Owner Name:</b>	Red Bull GmbH		
<b>Owner Address:</b>	Am Brunnen 1 A-5330 Fuschl am See AUSTRIA		
<b>Legal Entity Type:</b>	LIMITED LIABILITY COMPANY	<b>State or Country Where Organized:</b>	AUSTRIA

## ▼ Attorney/Correspondence Information

### Attorney of Record

<b>Attorney Name:</b>	Martin R. Greenstein		
<b>Attorney Primary Email Address:</b>	<a href="mailto:MRG@TechMark.com">MRG@TechMark.com</a>	<b>Attorney Email Authorized:</b>	Yes

### Correspondent

<b>Correspondent Name/Address:</b>	Martin R. Greenstein TechMark a Law Corporation 4820 Harwood Road, 2nd Floor San Jose, CALIFORNIA UNITED STATES 95124		
<b>Phone:</b>	408-266-4700	<b>Fax:</b>	408-850-1955
<b>Correspondent e-mail:</b>	<a href="mailto:MRG@TechMark.com">MRG@TechMark.com</a> <a href="mailto:AMR@TechMark.com">AMR@TechMark.com</a> <a href="mailto:LZH@TechMark.com">LZH@TechMark.com</a>	<b>Correspondent e-mail Authorized:</b>	Yes

### Domestic Representative - Not Found

## ▼ Prosecution History

Date	Description	Proceeding Number
Oct. 31, 2014	FINAL DECISION TRANSACTION PROCESSED BY IB	
Sep. 25, 2014	FINAL DISPOSITION NOTICE SENT TO IB	
Sep. 25, 2014	FINAL DISPOSITION PROCESSED	67445
Sep. 24, 2014	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jun. 26, 2014	CHANGE OF NAME/ADDRESS REC'D FROM IB	
Jun. 24, 2014	REGISTERED-PRINCIPAL REGISTER	
Apr. 10, 2014	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Apr. 08, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 08, 2014	PUBLISHED FOR OPPOSITION	
Apr. 03, 2014	NOTIFICATION PROCESSED BY IB	
Mar. 26, 2014	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Mar. 26, 2014	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	

Mar. 19, 2014	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Mar. 19, 2014	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Mar. 19, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 06, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Mar. 06, 2014	ASSIGNED TO LIE	66121
Mar. 04, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 15, 2014	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 15, 2014	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 15, 2014	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 15, 2014	EXAMINERS AMENDMENT -WRITTEN	83171
Jan. 22, 2014	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jan. 22, 2014	FINAL REFUSAL E-MAILED	
Jan. 22, 2014	FINAL REFUSAL WRITTEN	83171
Dec. 27, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 28, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 27, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 27, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 27, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 27, 2013	NON-FINAL ACTION E-MAILED	6325
Jun. 27, 2013	NON-FINAL ACTION WRITTEN	83171
May 30, 2013	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
May 30, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 26, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	67287
Apr. 26, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	67287
Apr. 17, 2013	ASSIGNED TO LIE	67287
Apr. 12, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 05, 2012	REFUSAL PROCESSED BY IB	
Oct. 29, 2012	ATTORNEY REVIEW COMPLETED	83171
Oct. 25, 2012	CORRECTION FROM IB ENTERED - ATTORNEY REVIEW REQUIRED	67445

Oct. 24, 2012	CORRECTION TRANSACTION RECEIVED FROM IB	
Oct. 18, 2012	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Oct. 18, 2012	REFUSAL PROCESSED BY MPU	72589
Oct. 18, 2012	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Oct. 17, 2012	NON-FINAL ACTION WRITTEN	83171
Oct. 04, 2012	ASSIGNED TO EXAMINER	83171
Jul. 28, 2012	APPLICATION FILING RECEIPT MAILED	
Jul. 24, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 20, 2012	SN ASSIGNED FOR SECT 66A SUBSEQ DESIG FROM IB	

### ▼ International Registration Information (Section 66a)

<b>International Registration Number:</b>	1116214	<b>International Registration Date:</b>	Oct. 25, 2011
<b>Intl. Registration Status:</b>	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b>	Jul. 20, 2012
<b>Notification of Designation Date:</b>	Jul. 19, 2012	<b>Date of Automatic Protection:</b>	Apr. 18, 2014
<b>International Registration Renewal Date:</b>	Oct. 25, 2021		
<b>First Refusal Flag:</b>	Yes		

### ▼ TM Staff and Location Information

#### TM Staff Information - None

#### File Location

<b>Current Location:</b>	PUBLICATION AND ISSUE SECTION	<b>Date in Location:</b>	Jun. 24, 2014
--------------------------	-------------------------------	--------------------------	---------------

### ▼ Assignment Abstract Of Title Information - Click to Load

### ▼ Proceedings - Click to Load

# EXHIBIT E





## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#) | [PREV LIST](#) | [CURR LIST](#)  
[NEXT LIST](#) | [FIRST DOC](#) | [PREV DOC](#) | [NEXT DOC](#) | [LAST DOC](#)

Logout

Please logout when you are done to release system resources allocated for you.

Start

List At:

OR

Jump

to record:

**Record 3 out of 21**

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)



**Word Mark**  
**Goods and Services**

**AIR RACE**

IC 009. US 021 023 026 036 038. G & S: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking, supervision, life-saving and teaching apparatus and instruments, namely, surveying machines and instruments, cameras, cinematographic cameras, cinematographic projectors, scales, shutter releases for cameras, flashlights for use in photography, loudspeakers, speed measuring apparatus for use in photography, exposed cinematographic film, magnetic compasses, optical lenses, marking and signaling buoys, microphones, measuring tapes, directional compasses, life-saving and protection equipment, namely, life belts, life jackets, life nets, life preservers, life saving rafts, life buoys, protective eyewear, network and telephone call routers; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electrical switches, transformers, accumulator boxes, battery charge devices; apparatus for recording, transmission or reproduction of sound or images; walkie-talkies; portable telephones, photocopying apparatus and machines; blank magnetic and optical data carriers, including video tapes, CD-ROMs, DVDs and other magnetic and optical data carriers, electronic memory storage devices; personal stereos; automatic vending machines and mechanisms for coin-operated apparatus; automatic cash dispensing machines, automatic ticket dispensers, automatic photograph vending booths; apparatus for games adapted for use with television receivers only, not coin-operated videogames; amusement apparatus adapted for use with television receivers only, cash registers, calculating machines; data processing equipment and computers; downloadable electronic publications in the nature of electronic books, magazines, newsletters, photo books and journals in the fields of aviation, sport, aerobatics, flying competitions, entertainment, culture and energy drinks; computer programs and software for planning, managing and conducting contests, exhibitions, sporting and cultural events; computer games programs; mouse pads. navigation apparatus for vehicles; protective clothing, including protective spectacles, protective masks, protective helmets, in particular for sports purposes; protective shields, namely, ear, body and face protective shields; spectacles, spectacle frames, spectacle cases and holders, sunglasses, goggles for sports;

headphones; breathing apparatus for divers, namely, rebreathers, compressed air bailout units, buoyancy bladders, soda lime cartridges; swimming belts in the nature of life buoys, life belts and weight belts for divers and life preservers in the form of water wings; special purpose containers, namely, cases, sheaths, housings, all specially adapted for apparatus and instruments included in this class; navigational and marking light, marker, life-saving and signaling buoys; wind socks for indicating wind direction and intensity; electric batteries and accumulators; magnets; luminous signs, luminous advertising signs; luminous or mechanical signaling panels, fuel pumps for service stations; fire-extinguishing apparatus; magnetic encoded identification bracelets; machine readable data carriers with software programs installed for operating the foregoing instruments and apparatus, for processing images, graphics, audio and text, for planning, managing and conducting contests, exhibitions, sporting and cultural events

IC 012. US 019 021 023 031 035 044. G & S: Land vehicles; water vehicles, namely, boats, motor racing vehicles, racing boats, launches, yachts, personal water scooters, passenger ships, sailing vessels, canoes; apparatus for locomotion by air, namely, airplanes, helicopters, aircraft and aeronautical apparatus; refrigerated trucks; air cushion vehicles; parachutes; structural parts for vehicles, namely, automotive parts, parts for air cushion vehicles; parts for apparatus for locomotion by land, air or water, namely, structural parts for boats, motor racing vehicles, racing boats, launches, yachts, personal water scooters, passenger ships, sailing vessels, canoes, airplanes, helicopters, aircraft and aeronautical apparatus; parts for air-cushion vehicles, namely, rearview mirrors, windshield visors, sun visors, steering wheels, windshield wipers; bicycles and individual structural parts therefor, bicycle accessories, namely, luggage carriers for bicycles, bells for bicycles, dress guards for bicycles, motors for bicycles, bicycle pumps, saddle covers for bicycles, stands for bicycles; saddle covers for motorcycles; motorized golf carts and baby carriages; automobile accessories, namely, tires, seats and seat covers, trailer hitches, roof racks, ski carriers, mudguards, tire snow chains, sunroof wind deflectors, seat head rests, safety belts, child safety seats, horns, steering wheels, wheel rims, shock absorbers; covers for vehicle steering wheels; motors for land vehicles

IC 014. US 002 027 028 050. G & S: Precious metals and their alloys; goods made of precious metals and their alloys, namely, decorative boxes, holiday, jewelry and personal ornaments, figurines, works of art of precious metal, keyrings; badges of precious metal; jewelry including rings of precious metals, precious stones, costume jewelry, earrings, cufflinks and tie pins; horological and chronometrical instruments; wrist watches and watch straps; clock cases; cases for the aforesaid goods

IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper, cardboard and goods made from these materials, namely, paper towels, paper table napkins, filter paper, handkerchiefs of paper, toilet paper, nappies of paper for babies and adults, packaging of paper or cardboard, paper or cardboard mats for beer glasses, paper or cardboard pads; paper packaging containers and bags; printed matter, namely, leaflets, magazines, books, newsletters, journals, prospectuses, brochures and folders in the field of aviation, sport, aerobatics, flying competitions, entertainment, culture and energy drinks; bookbinding material; photographs; posters, plastic photographic transparencies, paper flags; signboards of paper or cardboard; clipboards; stationery; plastic transfers, stickers; labels, namely, iron-on paper labels not of textile; adhesives for stationery or household purposes; artists' materials, including drawing, painting and modeling materials, namely, pencils, brushes, modeling clay; paint brushes; typewriters and office requisites, namely, envelope sealing machines, punches, staplers; printed instructional and teaching material, in the field of aviation, sport, aerobatics, flying competitions, entertainment, culture and energy drinks; plastic materials for packaging, namely, bags; printers' type; printing blocks; writing slates and black boards; writing and drawing implements, namely, square rulers; self-adhesive plastic films for decorative purposes; money clips

IC 018. US 001 002 003 022 041. G & S: Leather and imitations of leather and goods made from these materials, namely, bags, briefcases, beach bags, bags for sports, suitcases, empty and unfitted vanity cases, valises, attaché cases and other containers not adapted to other objects to be carried and small goods of leather, namely, purses, pocket wallets, key wallets, credit and business card cases; hand bags, briefcases, leather, mesh and textile shopping bags, school satchels; backpacks, rucksacks; shoulder straps; animal skins, hides; trunks and travelling bags, garment bags for travel; travelling sets of leatherware, namely, bags; umbrellas, parasols and walking sticks; whips, harness and saddlery

IC 025. US 022 039. G & S: Clothing, footwear, headgear, namely, T-shirts, blouses, sweaters, pullovers, shirts, tops, trousers, shorts, anoraks, wind resistant jackets, aprons, braces, bath robes, scarves, gloves, polo shirts, skirts, caps, hats, headbands, ear muffs, shoes, flip flops, slippers, socks, belts for clothing, money-belts, sun visors; sportswear, namely, shirts, t-shirts, pants, polo shirts, sweat shirts and sweat pants, hooded shirts, shorts, skirts, jumpers, bathing suits, bathing trunks; footwear for sports, namely, sports shoes, football boots and studs therefor, ski boots, tennis shoes, golf shoes; non-slipping soles for shoes; corsets; diapers of textile for babies and adults

IC 028. US 022 023 038 050. G & S: Games and playthings, namely, playing cards, card games and board games; novelty items for practical jokes, namely, face masks and fake teeth, confetti; gymnastic and sporting articles, namely, gymnastic apparatus, gymnastic training stools, springboards, gymnastic ropes, gymnastic clubs and gymnastic balls, footballs, fitness trainers in the nature of fitness training bars and body training apparatus; gymnastic and sports equipment, including winter sports equipment, namely, skis, snowboards, ice skates and snowshoes, bobsleighs; tennis equipment, namely, tennis racquets, tennis balls, tennis nets, tennis racquet covers; angling equipment namely, landing nets; special purpose bags for sports equipment, including skis and surfboards, cricket bags, golf and tennis bags; ski bindings, ski poles, edges for skis, coverings for skis; snowboard bindings; balls, namely, tennis balls, soccer balls, footballs, baseballs, golf balls, volley balls, sport balls; dumb-bells, iron shots specifically for use in shot puts competitions, discuses, javelins; tennis racquets, cricket bats, golf clubs and hockey sticks; roller skates, inline roller skates; tables for table tennis; decorations for Christmas trees; snow globes; electric or electronic games other than those adapted for use with television receivers only; scale model vehicles, toy vehicles, radio-controlled scale model vehicles, radio-controlled toy vehicles; coin-operated gaming machines and amusement machines; fencing weapons; sports bows for archery; nets for ball games, tennis nets; fishing tackle, fishing hooks, landing nets for anglers; swimming flippers; paragliders, hang-gliders; skateboards; surfboards, body boards, windsurfing boards; harnesses and masts for sailboards; elbow and knee pads for athletic use

IC 034. US 002 008 009 017. G & S: Tobacco; tobacco products, namely, cigars, cigarettes, smoking tobacco, chewing tobacco, snuff tobacco; tobacco substitutes not for medicinal purposes; smokers' articles, namely, tobacco tins, cigar and cigarette holders, cigar and cigarette cases, ashtrays, humidors, pipe stands, pipe cleaners, cigar cutters, pipes, pipe bags, lighters, pocket apparatus for rolling cigarettes, cigarette papers, cigarette cases, cigarette filters; matches

IC 041. US 100 101 107. G & S: Education services, namely, providing classes, seminars, workshops in the field of aviation, sport, aerobatics, flying competitions, entertainment, culture and energy drinks; providing of training in the field of aviation, sport, aerobatics, flying competitions, entertainment and culture; entertainment, namely, producing, presenting, and providing facilities for musical performances, radio programs and television programs, theatre performances, theatrical performances in the nature of competitive flying exhibitions and air shows, stage shows, live performances and airborne shows; sporting and cultural activities, namely, the staging of sports competitions; night clubs and discotheque services; organization of fairs and exhibitions for cultural, sporting and educational purposes; rental of video tapes and cassettes, CD-ROMs and DVDs, film production; videotaping and microfilming; publication of electronic books and journals on-line, electronic desktop publishing, providing on-line electronic publications of electronic books, magazines, newsletters, photo books, journals and blogs in the field of aviation, sport, aerobatics, flying competitions, entertainment, culture and energy drinks, providing on-line computer games; providing karaoke contest services; digital imaging services; music composition services for others; layout services, other than for advertising purposes

IC 043. US 100 101. G & S: Services for providing food and drink, including bar services, cafés, cafeterias, canteens, snack bars, restaurants, self-service restaurants; food and drink catering; temporary lodging accommodation including hotels, boarding houses, holiday camps, tourist homes, motels; temporary lodging accommodation reservations; boarding for animals; rental of transportable buildings, bars and tents; rental of chairs, tables, table linen, glassware and bar equipment

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design**

16.03.25 - Crosshairs; Gun sights; Viewers, slide, hand-held

**Search Code**

18.09.01 - Airplanes; Gliders, airplane

24.15.03 - Arrows formed by words, letters, numbers or punctuation

26.01.02 - Circles, plain single line; Plain single line circles

26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles)  
 26.01.04 - Circles with two breaks or divided in the middle  
 26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles  
 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)  
 26.17.04 - Bands, vertical; Bars, vertical; Lines, vertical; Vertical line(s), band(s) or bar(s)  
 26.17.06 - Bands, diagonal; Bars, diagonal; Diagonal line(s), band(s) or bar(s); Lines, diagonal  
 26.17.07 - Heat, lines depicting; Lines depicting speed, propulsion, heat or wind; Propulsion, lines depicting; Speed, lines depicting; Wind, lines depicting  
 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved  
 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters  
 26.17.25 - Other lines, bands or bars  
 27.03.05 - Objects forming letters or numerals  
 29.01.07 - Inconspicuous designs functioning as punctuation or parts of letters; Small, inconspicuous design elements functioning as punctuation or parts of letters

**Serial Number** 79096625

**Filing Date** September 15, 2010

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** March 25, 2014

**Registration Number** 4545573

**International Registration Number** 1075027

**Registration Date** June 10, 2014

**Owner** (REGISTRANT) Red Bull GmbH LIMITED LIABILITY COMPANY AUSTRIA Am Brunnen 1 A-5330 Fuschl am See AUSTRIA

**Attorney of Record** Martin R. Greenstein

**Priority Date** March 17, 2010

**Prior Registrations** 3392028;3627164

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "AIR RACE" AS TO "DOWNLOADABLE ELECTRONIC PUBLICATIONS IN THE NATURE OF ELECTRONIC BOOKS, MAGAZINES, NEWSLETTERS, PHOTO BOOKS AND JOURNALS IN THE FIELDS OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT; COMPUTER PROGRAMS AND SOFTWARE FOR PLANNING, MANAGING AND CONDUCTING CONTESTS, EXHIBITIONS, SPORTING AND CULTURAL EVENTS; MACHINE READABLE DATA CARRIERS WITH SOFTWARE PROGRAMS INSTALLED FOR OPERATING THE FOREGOING INSTRUMENTS AND APPARATUS, FOR PROCESSING IMAGES, GRAPHICS, AUDIO AND TEXT, FOR PLANNING, MANAGING AND CONDUCTING CONTESTS, EXHIBITIONS, SPORTING AND CULTURAL EVENTS; APPARATUS FOR LOCOMOTION BY AIR, NAMELY, AIRPLANES, HELICOPTERS, AIRCRAFT AND AERONAUTICAL APPARATUS; PARACHUTES; PARTS FOR APPARATUS FOR LOCOMOTION BY LAND, AIR OR WATER, NAMELY, STRUCTURAL PARTS FOR AIRPLANES, HELICOPTERS, AIRCRAFT AND AERONAUTICAL APPARATUS; PRINTED MATTER, NAMELY, LEAFLETS, MAGAZINES, BOOKS, NEWSLETTERS, JOURNALS, PROSPECTUSES, BROCHURES AND FOLDERS IN THE FIELD OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT; PRINTED INSTRUCTIONAL AND TEACHING MATERIAL, IN THE FIELD OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT; EDUCATION SERVICES, NAMELY, PROVIDING CLASSES, SEMINARS, WORKSHOPS IN THE FIELD OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT; PROVIDING OF TRAINING IN THE FIELD OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT; ENTERTAINMENT,

NAMELY, PRODUCING, PRESENTING, AND PROVIDING FACILITIES FOR THEATRICAL PERFORMANCES IN THE NATURE OF COMPETITIVE FLYING EXHIBITIONS AND AIR SHOWS AND AIRBORNE SHOWS; SPORTING AND CULTURAL ACTIVITIES, NAMELY, THE STAGING OF SPORTS COMPETITIONS; ORGANIZATION OF FAIRS AND EXHIBITIONS FOR CULTURAL, SPORTING AND EDUCATIONAL PURPOSES; RENTAL OF VIDEO TAPES AND CASSETTES, CD-ROMS AND DVDS, FILM PRODUCTION; VIDEOTAPING AND MICROFILMING; PUBLICATION OF ELECTRONIC BOOKS AND JOURNALS ON-LINE, ELECTRONIC DESKTOP PUBLISHING, PROVIDING ON-LINE ELECTRONIC PUBLICATIONS OF ELECTRONIC BOOKS, MAGAZINES, NEWSLETTERS, PHOTO BOOKS, JOURNALS AND BLOGS IN THE FIELD OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT" APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of an airplane design with streak designs behind it, and the wording "AIR RACE", with a streak design in each of the letter "A" and the letter "R" and an arrow design in the letter "C", all against a partial crosshairs design.

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

---

<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DICT</a>	<a href="#">SEARCH OG</a>	<a href="#">TOP</a>	<a href="#">HELP</a>	<a href="#">PREV LIST</a>	<a href="#">CURR LIST</a>
<a href="#">NEXT LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>					

---

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

**STATUS****DOCUMENTS****MAINTENANCE**[Back to Search](#)

Print

**Generated on:** This page was generated by TSDR on 2016-04-21 18:11:22 EDT**Mark:** AIR RACE**US Serial Number:** 79096625**Application Filing Date:** Sep. 15, 2010**US Registration Number:** 4545573**Registration Date:** Jun. 10, 2014**Register:** Principal**Mark Type:** Trademark, Service Mark**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.**Status Date:** Jun. 10, 2014**Publication Date:** Mar. 25, 2014**▼ Mark Information****▲ Collapse All****Mark Literal Elements:** AIR RACE**Standard Character Claim:** No**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

<b>Description of Mark:</b>	The mark consists of an airplane design with streak designs behind it, and the wording "AIR RACE", with a streak design in each of the letter "A" and the letter "R" and an arrow design in the letter "C", all against a partial crosshairs design.
<b>Color(s) Claimed:</b>	Color is not claimed as a feature of the mark.
<b>Disclaimer:</b>	"AIR RACE" AS TO "DOWNLOADABLE ELECTRONIC PUBLICATIONS IN THE NATURE OF ELECTRONIC BOOKS, MAGAZINES, NEWSLETTERS, PHOTO BOOKS AND JOURNALS IN THE FIELDS OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT; COMPUTER PROGRAMS AND SOFTWARE FOR PLANNING, MANAGING AND CONDUCTING CONTESTS, EXHIBITIONS, SPORTING AND CULTURAL EVENTS; MACHINE READABLE DATA CARRIERS WITH SOFTWARE PROGRAMS INSTALLED FOR OPERATING THE FOREGOING INSTRUMENTS AND APPARATUS, FOR PROCESSING IMAGES, GRAPHICS, AUDIO AND TEXT, FOR PLANNING, MANAGING AND CONDUCTING CONTESTS, EXHIBITIONS, SPORTING AND CULTURAL EVENTS; APPARATUS FOR LOCOMOTION BY AIR, NAMELY, AIRPLANES, HELICOPTERS, AIRCRAFT AND AERONAUTICAL APPARATUS; PARACHUTES; PARTS FOR APPARATUS FOR LOCOMOTION BY LAND, AIR OR WATER, NAMELY, STRUCTURAL PARTS FOR AIRPLANES, HELICOPTERS, AIRCRAFT AND AERONAUTICAL APPARATUS; PRINTED MATTER, NAMELY, LEAFLETS, MAGAZINES, BOOKS, NEWSLETTERS, JOURNALS, PROSPECTUSES, BROCHURES AND FOLDERS IN THE FIELD OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT; PRINTED INSTRUCTIONAL AND TEACHING MATERIAL, IN THE FIELD OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT; EDUCATION SERVICES, NAMELY, PROVIDING CLASSES, SEMINARS, WORKSHOPS IN THE FIELD OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT; PROVIDING OF TRAINING IN THE FIELD OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT; ENTERTAINMENT, NAMELY, PRODUCING, PRESENTING, AND PROVIDING FACILITIES FOR THEATRICAL PERFORMANCES IN THE NATURE OF COMPETITIVE FLYING EXHIBITIONS AND AIR SHOWS AND AIRBORNE SHOWS; SPORTING AND CULTURAL ACTIVITIES, NAMELY, THE STAGING OF SPORTS COMPETITIONS; ORGANIZATION OF FAIRS AND EXHIBITIONS FOR CULTURAL, SPORTING AND EDUCATIONAL PURPOSES; RENTAL OF VIDEO TAPES AND CASSETTES, CD-ROMS AND DVDS, FILM PRODUCTION; VIDEOTAPING AND MICROFILMING; PUBLICATION OF ELECTRONIC BOOKS AND JOURNALS ON-LINE, ELECTRONIC DESKTOP PUBLISHING, PROVIDING ON-LINE ELECTRONIC PUBLICATIONS OF ELECTRONIC BOOKS, MAGAZINES, NEWSLETTERS, PHOTO BOOKS, JOURNALS AND BLOGS IN THE FIELD OF AVIATION, SPORT, AEROBATICS, FLYING COMPETITIONS, ENTERTAINMENT"
<b>Design Search Code(s):</b>	16.03.25 - Gun sights; Crosshairs; Viewers, slide, hand-held 18.09.01 - Gliders, airplane; Airplanes 24.15.03 - Arrows formed by words, letters, numbers or punctuation 26.01.02 - Circles, plain single line; Plain single line circles 26.01.03 - Incomplete circles (more than semi-circles); Circles, incomplete (more than semi-circles) 26.01.04 - Circles with two breaks or divided in the middle 26.01.17 - Concentric circles, two; Circles, two concentric; Two concentric circles 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s) 26.17.04 - Bars, vertical; Bands, vertical; Lines, vertical; Vertical line(s), band(s) or bar(s) 26.17.06 - Lines, diagonal; Diagonal line(s), band(s) or bar(s); Bars, diagonal; Bands, diagonal 26.17.07 - Speed, lines depicting; Propulsion, lines depicting; Lines depicting speed, propulsion, heat or wind; Wind, lines depicting; Heat, lines depicting 26.17.09 - Bands, curved; Lines, curved; Curved line(s), band(s) or bar(s); Bars, curved 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters 26.17.25 - Other lines, bands or bars

27.03.05 - Objects forming letters or numerals

29.01.07 - Inconspicuous designs functioning as punctuation or parts of letters; Small, inconspicuous design elements functioning as punctuation or parts of letters

## ▼ Related Properties Information

**International Registration Number:** [1075027](#)

**International Registration Date:** Sep. 15, 2010

**Claimed Ownership of US Registrations:** [3392028](#), [3627164](#)

## ▼ Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking, supervision, life-saving and teaching apparatus and instruments, namely, surveying machines and instruments, cameras, cinematographic cameras, cinematographic projectors, scales, shutter releases for cameras, flashlights for use in photography, loudspeakers, speed measuring apparatus for use in photography, exposed cinematographic film, magnetic compasses, optical lenses, marking and signaling buoys, microphones, measuring tapes, directional compasses, life-saving and protection equipment, namely, life belts, life jackets, life nets, life preservers, life saving rafts, life buoys, protective eyewear, network and telephone call routers; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electrical switches, transformers, accumulator boxes, battery charge devices; apparatus for recording, transmission or reproduction of sound or images; walkie-talkies; portable telephones, photocopying apparatus and machines; blank magnetic and optical data carriers, including video tapes, CD-ROMs, DVDs and other magnetic and optical data carriers, electronic memory storage devices; personal stereos; automatic vending machines and mechanisms for coin-operated apparatus; automatic cash dispensing machines, automatic ticket dispensers, automatic photograph vending booths; apparatus for games adapted for use with television receivers only, not coin-operated videogames; amusement apparatus adapted for use with television receivers only, cash registers, calculating machines; data processing equipment and computers; downloadable electronic publications in the nature of electronic books, magazines, newsletters, photo books and journals in the fields of aviation, sport, aerobatics, flying competitions, entertainment, culture and energy drinks; computer programs and software for planning, managing and conducting contests, exhibitions, sporting and cultural events; computer games programs; mouse pads; navigation apparatus for vehicles; protective clothing, including protective spectacles, protective masks, protective helmets, in particular for sports purposes; protective shields, namely, ear, body and face protective shields; spectacles, spectacle frames, spectacle cases and holders, sunglasses, goggles for sports; headphones; breathing apparatus for divers, namely, rebreathers, compressed



	air bailout units, buoyancy bladders, soda lime cartridges; swimming belts in the nature of life buoys, life belts and weight belts for divers and life preservers in the form of water wings; special purpose containers, namely, cases, sheaths, housings, all specially adapted for apparatus and instruments included in this class; navigational and marking light, marker, life-saving and signaling buoys; wind socks for indicating wind direction and intensity; electric batteries and accumulators; magnets; luminous signs, luminous advertising signs; luminous or mechanical signaling panels, fuel pumps for service stations; fire-extinguishing apparatus; magnetic encoded identification bracelets; machine readable data carriers with software programs installed for operating the foregoing instruments and apparatus, for processing images, graphics, audio and text, for planning, managing and conducting contests, exhibitions, sporting and cultural events	
<b>International Class(es):</b>	009 - Primary Class	<b>U.S Class(es):</b> 021, 023, 026, 036, 038
<b>Class Status:</b>	ACTIVE	
<b>Basis:</b>	66(a)	
<b>For:</b>	Land vehicles; water vehicles, namely, boats, motor racing vehicles, racing boats, launches, yachts, personal water scooters, passenger ships, sailing vessels, canoes; apparatus for locomotion by air, namely, airplanes, helicopters, aircraft and aeronautical apparatus; refrigerated trucks; air cushion vehicles; parachutes; structural parts for vehicles, namely, automotive parts, parts for air cushion vehicles; parts for apparatus for locomotion by land, air or water, namely, structural parts for boats, motor racing vehicles, racing boats, launches, yachts, personal water scooters, passenger ships, sailing vessels, canoes, airplanes, helicopters, aircraft and aeronautical apparatus; parts for air-cushion vehicles, namely, rearview mirrors, windshield visors, sun visors, steering wheels, windshield wipers; bicycles and individual structural parts therefor, bicycle accessories, namely, luggage carriers for bicycles, bells for bicycles, dress guards for bicycles, motors for bicycles, bicycle pumps, saddle covers for bicycles, stands for bicycles; saddle covers for motorcycles; motorized golf carts and baby carriages; automobile accessories, namely, tires, seats and seat covers, trailer hitches, roof racks, ski carriers, mudguards, tire snow chains, sunroof wind deflectors, seat head rests, safety belts, child safety seats, horns, steering wheels, wheel rims, shock absorbers; covers for vehicle steering wheels; motors for land vehicles	
<b>International Class(es):</b>	012 - Primary Class	<b>U.S Class(es):</b> 019, 021, 023, 031, 035, 044
<b>Class Status:</b>	ACTIVE	
<b>Basis:</b>	66(a)	
<b>For:</b>	Precious metals and their alloys; goods made of precious metals and their alloys, namely, decorative boxes, holiday, jewelry and personal ornaments, figurines, works of art of precious metal, keyrings; badges of precious metal; jewelry including rings of precious metals, precious stones, costume jewelry, earrings, cufflinks and tie pins; horological and chronometrical instruments; wrist watches and watch straps; clock cases; cases for the aforesaid goods	
<b>International Class(es):</b>	014 - Primary Class	<b>U.S Class(es):</b> 002, 027, 028, 050
<b>Class Status:</b>	ACTIVE	
<b>Basis:</b>	66(a)	
<b>For:</b>	Paper, cardboard and goods made from these materials, namely, paper towels, paper table napkins, filter paper, handkerchiefs of paper, toilet paper, nappies of paper for babies and adults, packaging of paper or cardboard, paper or cardboard mats for beer glasses, paper or cardboard pads; paper packaging containers and bags; printed matter, namely, leaflets, magazines, books, newsletters, journals, prospectuses, brochures and folders in the field of aviation, sport, aerobatics	

	flying competitions, entertainment, culture and energy drinks; bookbinding material; photographs; posters, plastic photographic transparencies, paper flags; signboards of paper or cardboard; clipboards; stationery; plastic transfers, stickers; labels, namely, iron-on paper labels not of textile; adhesives for stationery or household purposes; artists' materials, including drawing, painting and modeling materials, namely, pencils, brushes, modeling clay; paint brushes; typewriters and office requisites, namely, envelope sealing machines, punches, staplers; printed instructional and teaching material, in the field of aviation, sport, aerobatics, flying competitions, entertainment, culture and energy drinks; plastic materials for packaging, namely, bags; printers' type; printing blocks; writing slates and blackboards; writing and drawing implements, namely, square rulers; self-adhesive plastic films for decorative purposes; money clips		
<b>International Class(es):</b>	016 - Primary Class	<b>U.S Class(es):</b>	002, 005, 022, 023, 029, 037, 038, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Leather and imitations of leather and goods made from these materials, namely, bags, briefcases, beach bags, bags for sports, suitcases, empty and unfitted vanity cases, valises, attaché cases and other containers not adapted to other objects to be carried and small goods of leather, namely, purses, pocket wallets, key wallets, credit and business card cases; hand bags, briefcases, leather, mesh and textile shopping bags, school satchels; backpacks, rucksacks; shoulder straps; animal skins, hides; trunks and travelling bags, garment bags for travel; travelling sets of leatherware, namely, bags; umbrellas, parasols and walking sticks; whips, harness and saddlery		
<b>International Class(es):</b>	018 - Primary Class	<b>U.S Class(es):</b>	001, 002, 003, 022, 041
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Clothing, footwear, headgear, namely, T-shirts, blouses, sweaters, pullovers, shirts, tops, trousers, shorts, anoraks, wind resistant jackets, aprons, braces, bath robes, scarves, gloves, polo shirts, skirts, caps, hats, headbands, ear muffs, shoes, flip flops, slippers, socks, belts for clothing, money-belts, sun visors; sportswear, namely, shirts, t-shirts, pants, polo shirts, sweat shirts and sweat pants, hooded shirts, shorts, skirts, jumpers, bathing suits, bathing trunks; footwear for sports, namely, sports shoes, football boots and studs therefor, ski boots, tennis shoes, golf shoes; non-slipping soles for shoes; corsets; diapers of textile for babies and adults		
<b>International Class(es):</b>	025 - Primary Class	<b>U.S Class(es):</b>	022, 039
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Games and playthings, namely, playing cards, card games and board games; novelty items for practical jokes, namely, face masks and fake teeth, confetti; gymnastic and sporting articles, namely, gymnastic apparatus, gymnastic training stools, springboards, gymnastic ropes, gymnastic clubs and gymnastic balls, footballs, fitness trainers in the nature of fitness training bars and body training apparatus; gymnastic and sports equipment, including winter sports equipment, namely, skis, snowboards, ice skates and snowshoes, bob-sleighs; tennis equipment, namely, tennis racquets, tennis balls, tennis nets, tennis racquet covers; angling equipment namely, landing nets; special purpose bags for sports equipment, including skis and surfboards, cricket bags, golf and tennis bags; ski		

	bindings, ski poles, edges for skis, coverings for skis; snowboard bindings; balls, namely, tennis balls, soccer balls, footballs, baseballs, golf balls, volley balls, sport balls; dumb-bells, iron shots specifically for use in shot puts competitions, discuses, javelins; tennis racquets, cricket bats, golf clubs and hockey sticks; roller skates, inline roller skates; tables for table tennis; decorations for Christmas trees; snow globes; electric or electronic games other than those adapted for use with television receivers only; scale model vehicles, toy vehicles, radio-controlled scale model vehicles, radio-controlled toy vehicles; coin-operated gaming machines and amusement machines; fencing weapons; sports bows for archery; nets for ball games, tennis nets; fishing tackle, fishing hooks, landing nets for anglers; swimming flippers; paragliders, hang-gliders; skateboards; surfboards, body boards, windsurfing boards; harnesses and masts for sailboards; elbow and knee pads for athletic use		
<b>International Class(es):</b>	028 - Primary Class	<b>U.S Class(es):</b>	022, 023, 038, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Tobacco; tobacco products, namely, cigars, cigarettes, smoking tobacco, chewing tobacco, snuff tobacco; tobacco substitutes not for medicinal purposes; smokers' articles, namely, tobacco tins, cigar and cigarette holders, cigar and cigarette cases, ashtrays, humidors, pipe stands, pipe cleaners, cigar cutters, pipes, pipe bags, lighters, pocket apparatus for rolling cigarettes, cigarette papers, cigarette cases, cigarette filters; matches		
<b>International Class(es):</b>	034 - Primary Class	<b>U.S Class(es):</b>	002, 008, 009, 017
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Education services, namely, providing classes, seminars, workshops in the field of aviation, sport, aerobatics, flying competitions, entertainment, culture and energy drinks; providing of training in the field of aviation, sport, aerobatics, flying competitions, entertainment and culture; entertainment, namely, producing, presenting, and providing facilities for musical performances, radio programs and television programs, theatre performances, theatrical performances in the nature of competitive flying exhibitions and air shows, stage shows, live performances and airborne shows; sporting and cultural activities, namely, the staging of sports competitions; night clubs and discotheque services; organization of fairs and exhibitions for cultural, sporting and educational purposes; rental of video tapes and cassettes, CD-ROMs and DVDs, film production; videotaping and microfilming; publication of electronic books and journals on-line, electronic desktop publishing, providing on-line electronic publications of electronic books, magazines, newsletters, photo books, journals and blogs in the field of aviation, sport, aerobatics, flying competitions, entertainment, culture and energy drinks, providing on-line computer games; providing karaoke contest services; digital imaging services; music composition services for others; layout services, other than for advertising purposes		
<b>International Class(es):</b>	041 - Primary Class	<b>U.S Class(es):</b>	100, 101, 107
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>			

Services for providing food and drink, including bar services, cafés, cafeterias, canteens, snack bars, restaurants, self-service restaurants; food and drink catering; temporary lodging accommodation including hotels, boarding houses, holiday camps, tourist homes, motels; temporary lodging accommodation reservations; boarding for animals; rental of transportable buildings, bars and tents; rental of chairs, tables, table linen, glassware and bar equipment	
<b>International Class(es):</b>	043 - Primary Class
<b>U.S Class(es):</b>	100, 101
<b>Class Status:</b>	ACTIVE
<b>Basis:</b>	66(a)

### ▼ Basis Information (Case Level)

<b>Filed Use:</b>	No	<b>Currently Use:</b>	No	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	Yes	<b>Currently 66A:</b>	Yes		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

### ▼ Current Owner(s) Information

<b>Owner Name:</b>	Red Bull GmbH
<b>Owner Address:</b>	Am Brunnen 1 A-5330 Fuschl am See AUSTRIA
<b>Legal Entity Type:</b>	LIMITED LIABILITY COMPANY
<b>State or Country Where Organized:</b>	AUSTRIA

### ▼ Attorney/Correspondence Information

<b>Attorney of Record</b>	
<b>Attorney Name:</b>	Martin R. Greenstein
<b>Attorney Primary Email Address:</b>	<a href="mailto:MRG@TechMark.com">MRG@TechMark.com</a>
<b>Attorney Email Authorized:</b>	Yes

Correspondent			
	<b>Correspondent Name/Address:</b>	MARTIN R. GREENSTEIN TECHMARK A LAW CORPORATION 4820 HARWOOD ROAD, 2ND FLOOR SAN JOSE, CALIFORNIA UNITED STATES 95124	
	<b>Phone:</b>	408-266-4700	<b>Fax:</b> 408-850-1955
	<b>Correspondent e-mail:</b>	<a href="mailto:MRG@TechMark.com">MRG@TechMark.com</a> <a href="mailto:AMR@TechMark.com">AMR@TechMark.com</a> <a href="mailto:LZH@TechMark.com">LZH@TechMark.com</a>	<b>Correspondent e-mail Authorized:</b> Yes
Domestic Representative - Not Found			

## ▼ Prosecution History

Date	Description	Proceeding Number
Dec. 12, 2014	FINAL DECISION TRANSACTION PROCESSED BY IB	
Oct. 29, 2014	FINAL DISPOSITION NOTICE SENT TO IB	
Oct. 29, 2014	FINAL DISPOSITION PROCESSED	72629
Sep. 10, 2014	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jun. 26, 2014	CHANGE OF NAME/ADDRESS REC'D FROM IB	
Jun. 10, 2014	REGISTERED-PRINCIPAL REGISTER	
Jun. 06, 2014	NOTIFICATION PROCESSED BY IB	
Mar. 25, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 25, 2014	PUBLISHED FOR OPPOSITION	
Mar. 05, 2014	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Mar. 05, 2014	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Mar. 05, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 14, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Feb. 14, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 29, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	73797

Jan. 29, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	73797
Jan. 24, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 24, 2014	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Jul. 26, 2013	NOTIFICATION OF SUBSEQUENT FINAL EMAILED	
Jul. 26, 2013	SUBSEQUENT FINAL EMAILED	
Jul. 26, 2013	SUBSEQUENT FINAL REFUSAL WRITTEN	83173
Jul. 10, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 09, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 09, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 09, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 19, 2013	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Feb. 27, 2013	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Feb. 27, 2013	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	
Feb. 14, 2013	REFUSAL PROCESSED BY IB	
Jan. 09, 2013	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Jan. 09, 2013	PRIORITY ACTION E-MAILED	6326
Jan. 09, 2013	PRIORITY ACTION WRITTEN	83173
Jan. 03, 2013	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Dec. 16, 2012	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Dec. 04, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Nov. 29, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 15, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	73797
Nov. 15, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	73797
Nov. 09, 2012	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
May 12, 2012	NOTIFICATION OF FINAL REFUSAL EMAILED	
May 12, 2012	FINAL REFUSAL E-MAILED	

May 12, 2012	FINAL REFUSAL WRITTEN	83173
Apr. 19, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	73797
Apr. 19, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	73797
Apr. 13, 2012	ASSIGNED TO LIE	73797
Apr. 03, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 13, 2012	REFUSAL PROCESSED BY IB	
Oct. 12, 2011	NON-FINAL ACTION MAILED	
Oct. 11, 2011	NON-FINAL ACTION WRITTEN	83173
Oct. 11, 2011	CORRECTION FROM IB ENTERED - ATTORNEY REVIEW REQUIRED	70527
Sep. 23, 2011	CORRECTION TRANSACTION RECEIVED FROM IB	
Jun. 11, 2011	REFUSAL PROCESSED BY IB	
May 25, 2011	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
May 25, 2011	REFUSAL PROCESSED BY MPU	68359
May 24, 2011	APPLICATION FILING RECEIPT MAILED	
May 23, 2011	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
May 22, 2011	NON-FINAL ACTION WRITTEN	83173
May 20, 2011	ASSIGNED TO EXAMINER	83173
May 20, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 19, 2011	SN ASSIGNED FOR SECT 66A APPL FROM IB	

▼ International Registration Information (Section 66a)			
International Registration Number:  Priority Claimed Flag:  Intl. Registration Status:	1075027	International Registration Date:	Sep. 15, 2010
	Yes	Date of Section 67 Priority Claim:	Mar. 17, 2010
	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status:	May 19, 2011

Notification of Designation Date:	May 19, 2011	Date of Automatic Protection:	Mar. 22, 2013
International Registration Renewal Date:	Sep. 15, 2020		
First Refusal Flag:	Yes		
▼ <b>TM Staff and Location Information</b>			
TM Staff Information - None			
File Location			
Current Location:	PUBLICATION AND ISSUE SECTION	Date in Location:	Jun. 10, 2014
▼ <b>Assignment Abstract Of Title Information - Click to Load</b>			
▼ <b>Proceedings - Click to Load</b>			



# EXHIBIT F



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

Logout

Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)



#### Word Mark

REDBULL MOBILE

#### Goods and Services

IC 009. US 021 023 026 036 038. G & S: Scientific, photographic, cinematographic, and signaling apparatus and instruments, namely, mobile digital electronic devices, cameras, transmitters of electric signals, flashlights for use in photography, microphones, marking and signaling buoys, telescopes, microscopes, photographic transparencies, photocopiers, photometers, shutters, camcorders, cinematographic cameras, projectors, namely, LCD, movie, multimedia, photographic, picture and slide projectors, scanners, spectacles, barometers, signal bells, warning devices, namely, bells; apparatus for recording, transmission or reproduction of sound or images; portable and mobile telephones and parts, spare parts and equipment thereto, namely, cases, holders and sheaths and accessories, namely, cables, plugs, adaptors; batteries, accumulators, charging devices for accumulators for wireless mobile phones; subscriber identity module (SIM) cards, subscriber identity module (SIM) cards for use with portable and mobile phones; mobile phone face plates; downloadable ring tones; downloadable sound, music, image and video recordings in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, culture, fitness, nutrition, health, nature, science, history, architecture, mobile telecommunication; downloadable interactive games played on computers; apparatus for games adapted for use with television receivers only; amusement apparatus for use with an external display screen or monitor; prerecorded and blank machine readable data carriers with programs installed in the nature of mobile digital electronic devices and cell phones and in relation to entertainment, games, educational, cultural and sporting events and non-alcoholic beverages. downloadable electronic publications, namely, magazines, journals, newsletters, periodicals, electronic books, blogs, tutorials, and photo books in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, nutrition, fitness, history, science, information technology, nature, business and management, engineering, architecture, health, agriculture, creative arts, and culture; computer programs and software for use with a handheld mobile digital electronic devices and cell phones in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, culture, art, sporting and cultural events, fitness, nutrition, health, nature, science, history; computer games programs; mouse pads; navigation apparatus for vehicles; sunglasses; headphones; cases, sheaths, and housings suitable for apparatus and instruments in

this class, namely, mobile digital electronic devices, cell phones, films, audio cassettes, audio tapes, photographic transparencies, loudspeakers, computers, photographic equipment, photographic instruments, photographic apparatus, compact discs, video recordings, recorded tapes, cassettes and discs, sunglasses, spectacles, protective spectacles, television display apparatus, handheld remote control units and electronic devices, namely, personal electronic devices, personal handheld electronic devices, handheld digital electronic devices, telephones, smart phones, cellular phones, handheld video cameras, handheld digital cameras, pagers, personal digital assistants, handheld computers, mobile electronic devices, laptops, tablet computers, personal stereos, Universal Serial Bus (USB) flash drives, and optical disc players; luminous signs, luminous advertising signs; answering machines; electric cables; electronically and magnetically encoded cards in the nature of subscriber identity module (SIM) cards, smart cards; integrated circuit chips; recorded computer operating programs; computer peripheral devices. downloadable computer software, namely, computer applications and games in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, sporting and cultural events, education, nature, science, history, photography, and culture programs; prerecorded computer software, namely, computer applications and games in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, sporting and cultural events, education, nature, science, history, photography, and culture; data processing apparatus; electronic notice boards; hands free kits for phones; integrated circuit cards in the nature of smart cards; laptop computers; loudspeakers; blank magnetic data media in the nature of video tapes and records; recorded magnetic data media in the nature of video tapes and records featuring content in the field of entertainment, news, music, sports, energy drinks, culture, art, nature, science, sporting and cultural events, history; data processing equipment; range finders; receivers for telephone, audio, and visual; satellite navigational apparatus; telephone apparatus; telephone receivers; telephone transmitters; telephone wires; telecommunication transmitters and transmitting sets; video telephones; computer mice; remote control apparatus for stereos, televisions, DVD-players, dimmers, video game consoles, cameras, computers and optical disc players; luminous and mechanical video screens

IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper, cardboard and goods made from these materials, namely, covers for books and printed documents, packaging of paper or cardboard, printed advertisement boards of paper or cardboard, greeting and business cards, postcards; cardboard packaging containers and paper bags; printed matter, namely, printed newsletters, periodicals, magazines, catalogues, prospectuses, leaflets, brochures, folders, manuals, booklets and graphic representations in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, nature, science, history, education, mobile electronic devices, art, nutrition, fitness, sporting and cultural events and culture; photographs; art pictures; posters, placards of paper or cardboard; plastic and paper transparencies; flags of paper; boxes and signboards of paper or cardboard; calendars; stationery; paper pads; pens and pencils, erasers and stickers; printed instructional and teaching materials, namely, geographical maps, instruction books, puzzle books, and journals in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, nature, science, history, education, mobile electronic devices, art, nutrition, fitness, and culture; plastic materials for packaging, namely, plastic bags, plastic bubble packs for packaging, plastic boxes, plastic film for packaging

IC 035. US 100 101 102. G & S: Advertising, namely, promotion of goods and services and of competitive events in the nature of events in the field of sports, energy drinks, music and culture; distribution of goods for advertising purposes; layout services for advertising purposes; on-line advertising on a computer network; rental of advertising time on communication media; news clipping services; compilation of information into computer databases; systemization of information into computer databases; publication and writing of publicity texts; radio advertising; production and distribution of radio commercials; television advertising; production and distribution of television commercials; outdoor advertising; demonstration of goods; presentation of goods on communication media for retail purposes; sales promotion for others

IC 038. US 100 101 104. G & S: Telecommunication services, namely, providing access to telecommunication networks, transmission of webcasts and streaming of audio, visual, and audio visual material via a global computer network and wireless mobile phone services; transmission of radio and television programs; electronic bulletin board services; wireless mobile phone services; providing telecommunications connections to a global computer network, telecommunications routing and junction services, teleconferencing services, providing user access to a global computer

network; providing access to databases; voice mail services; rental of access time to global computer networks; television and radio broadcasting; cellular telephone communication services; providing Internet chat rooms; communications by telephone; computer aided transmission of messages and images; electronic mail; information about telecommunication; message sending; paging services via radio, telephone and other means of electronic communication; rental of access time to global computer networks; rental of telecommunication equipment; rental of telephones; satellite transmission; telephone services; providing telecommunication channels for teleshopping services; rental of telephone services

IC 041. US 100 101 107. G & S: Entertainment services, namely, live musical performances and radio and television entertainment in the nature of sports, energy drinks, music, lifestyle, news, people, architecture, nature, science, history, health, nutrition, fitness, special interest features, business and management, travel, night life, engineering, agriculture, creative arts, sporting and cultural events and culture; sporting and cultural activities, namely, the organization and staging of sports competitions; organization of exhibitions for cultural, sporting and educational purposes; film production; videotaping, editing and microfilming services; publication of electronic books and journals on-line; providing non-downloadable on-line electronic publications, namely, magazines, journals, newsletters, periodicals, electronic books, blogs, online tutorials, and photo books in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, nutrition, fitness, history, science, information technology, nature, business and management, engineering, architecture, health, agriculture, creative arts, sporting and cultural events and culture; game services provided on-line, namely, providing online electronic games; digital imaging services; music composition services; layout services, other than for advertising purposes; arranging and conducting of concerts; entertainment information; presentation of live performances in the field of sports, energy drinks, culture and news; production of radio and television programs and shows in the field of sports, energy drinks, culture and news; providing sports facilities; radio entertainment; recording studio services; editing, namely, video editing, written text editing, photo editing; photographic reporting, photography services; rental of sound recordings; rental of stadium facilities. none of the above services related to training in connection with the global rock excavation and material handling industry

IC 042. US 100 101. G & S: Design and development of computer hardware and software, namely, computer software for mobile telephones; data conversion of computer programs and data, except physical conversion; computer system design; conversion of data or documents from physical to electronic media; installation of computer software; recovery of Computer data; Updating and maintenance of Computer software, namely, providing updates and maintenance to downloaded software on mobile telephones; Hosting web sites; Providing search engines for the Internet; Rental of computer software; Rental of web servers

<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	01.15.25 - Coal; Dust; Light rays; Liquids, spilling; Pouring liquids; Sand; Spilling liquids 03.07.01 - Cattle; Oxen, cows, calves, bulls; Steers 27.01.04 - Letters forming objects; Numbers forming objects; Objects composed of letters or numerals; Punctuation forming objects
<b>Serial Number</b>	79101818
<b>Filing Date</b>	March 23, 2011
<b>Current Basis</b>	66A
<b>Original Filing Basis</b>	66A
<b>Published for Opposition</b>	October 23, 2012
<b>Registration Number</b>	4270232
<b>International Registration Number</b>	1088699

**Registration Date** January 8, 2013

**Owner** (REGISTRANT) Red Bull GmbH LIMITED LIABILITY COMPANY AUSTRIA Am Brunnen 1 A-5330 Fuschl am See AUSTRIA

**Priority Date** February 7, 2011

**Prior Registrations** 3561283;3718691;3999209;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MOBILE" APART FROM THE MARK AS SHOWN

**Description of Mark** The color(s) red, light-blue, dark-blue, yellow, orange and grey is/are claimed as a feature of the mark. The mark consists of the wording "RED BULL" in the color red, which is located above the wording "MOBILE", which is in the color grey and is in stylized font; a circle design representing waves in the colors light blue, dark blue, yellow and orange fills the center of the letter "O" in "MOBILE", with a red bull jumping into the center of the design in the letter "O". The color white represents background, outlining, shading and/or transparent areas and is not part of the mark.


**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS	DOCUMENTS	MAINTENANCE	<a href="#">Back to Search</a>	Print
<b>Generated on:</b> This page was generated by TSDR on 2016-04-21 18:13:35 EDT				
<b>Mark:</b> REDBULL MOBILE 				
<b>US Serial Number:</b> 79101818		<b>Application Filing Date:</b> Mar. 23, 2011		
<b>US Registration Number:</b> 4270232		<b>Registration Date:</b> Jan. 08, 2013		
<b>Register:</b> Principal				
<b>Mark Type:</b> Trademark, Service Mark				
<b>Status:</b> Registered. The registration date is used to determine when post-registration maintenance documents are due.				
<b>Status Date:</b> Jan. 08, 2013				
<b>Publication Date:</b> Oct. 23, 2012				
<b>▼ Mark Information</b> <span>▲ Collapse All</span>				
<b>Mark Literal Elements:</b> REDBULL MOBILE				
<b>Standard Character Claim:</b> No				
<b>Mark Drawing Type:</b> 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)				
<b>Description of Mark:</b> The mark consists of the wording "RED BULL" in the color red, which is located above the wording "MOBILE", which is in the color grey and is in stylized font; a circle design representing waves in the colors light blue, dark blue, yellow and orange fills the center of the letter "O" in "MOBILE", with a red bull jumping into the center of the design in the letter "O". The color white represents background, outlining, shading and/or transparent areas and is not part of the mark.				
<b>Color Drawing:</b> Yes				
<b>Color(s) Claimed:</b> The color(s) red, light-blue, dark-blue, yellow, orange and grey is/are claimed as a feature of the mark.				
<b>Disclaimer:</b> "MOBILE"				

**Design Search Code(s):** 01.15.25 - Coal; Dust; Light rays; Liquids, spilling; Pouring liquids; Sand; Spilling liquids  
 03.07.01 - Cattle; Oxen, cows, calves, bulls; Steers  
 27.01.04 - Letters forming objects; Numbers forming objects; Objects composed of letters or numerals; Punctuation forming objects

## ▼ Related Properties Information

**International Registration Number:** [1088699](#)

**International Registration Date:** Mar. 23, 2011

**Claimed Ownership of US Registrations:** [3561283](#), [3718691](#), [3999209](#) and others

## ▼ Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Scientific, photographic, cinematographic, and signaling apparatus and instruments, namely, mobile digital electronic devices, cameras, transmitters of electric signals, flashlights for use in photography, microphones, marking and signaling buoys, telescopes, microscopes, photographic transparencies, photocopiers, photometers, shutters, camcorders, cinematographic cameras, projectors, namely, LCD, movie, multimedia, photographic, picture and slide projectors, scanners, spectacles, barometers, signal bells, warning devices, namely, bells; apparatus for recording, transmission or reproduction of sound or images; portable and mobile telephones and parts, spare parts and equipment thereto, namely, cases, holders and sheaths and accessories, namely, cables, plugs, adaptors; batteries, accumulators, charging devices for accumulators for wireless mobile phones; subscriber identity module (SIM) cards, subscriber identity module (SIM) cards for use with portable and mobile phones; mobile phone face plates; downloadable ring tones; downloadable sound, music, image and video recordings in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, culture, fitness, nutrition, health, nature, science, history, architecture, mobile telecommunication; downloadable interactive games played on computers; apparatus for games adapted for use with television receivers only; amusement apparatus for use with an external display screen or monitor; prerecorded and blank machine readable data carriers with programs installed in the nature of mobile digital electronic devices and cell phones and in relation to entertainment, games, educational, cultural and sporting events and non-alcoholic beverages; downloadable electronic publications, namely, magazines, journals, newsletters, periodicals, electronic books, blogs, tutorials, and photo books in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, nutrition, fitness, history, science, information technology, nature, business and management, engineering, architecture, health, agriculture, creative arts, and culture; computer programs and software for use with a handheld mobile digital electronic devices and cell phones in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, culture, art, sporting and cultural events, fitness, nutrition, health, nature, science, history; computer games programs; mouse pads; navigation apparatus for vehicles; sunglasses; headphones; cases, sheaths, and housings suitable for apparatus and instruments in this class, namely, mobile digital electronic devices, cell phones, films, audio cassettes, audio

	tapes, photographic transparencies, loudspeakers, computers, photographic equipment, photographic instruments, photographic apparatus, compact discs, video recordings, recorded tapes, cassettes and discs, sunglasses, spectacles, protective spectacles, television display apparatus, handheld remote control units and electronic devices, namely, personal electronic devices, personal handheld electronic devices, handheld digital electronic devices, telephones, smart phones, cellular phones, handheld video cameras, handheld digital cameras, pagers, personal digital assistants, handheld computers, mobile electronic devices, laptops, tablet computers, personal stereos, Universal Serial Bus (USB) flash drives, and optical disc players; luminous signs, luminous advertising signs; answering machines; electric cables; electronically and magnetically encoded cards in the nature of subscriber identity module (SIM) cards, smart cards; integrated circuit chips; recorded computer operating programs; computer peripheral devices; downloadable computer software, namely, computer applications and games in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, sporting and cultural events, education, nature, science, history, photography, and culture programs; prerecorded computer software, namely, computer applications and games in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, sporting and cultural events, education, nature, science, history, photography, and culture; data processing apparatus; electronic notice boards; hands free kits for phones; integrated circuit cards in the nature of smart cards; laptop computers; loudspeakers; blank magnetic data media in the nature of video tapes and records; recorded magnetic data media in the nature of video tapes and records featuring content in the field of entertainment, news, music, sports, energy drinks, culture, art, nature, science, sporting and cultural events, history; data processing equipment; range finders; receivers for telephone, audio, and visual; satellite navigational apparatus; telephone apparatus; telephone receivers; telephone transmitters; telephone wires; telecommunication transmitters and transmitting sets; video telephones; computer mice; remote control apparatus for stereos, televisions, DVD-players, dimmers, video game consoles, cameras, computers and optical disc players; luminous and mechanical video screens		
<b>International Class(es):</b>	009 - Primary Class	<b>U.S Class(es):</b>	021, 023, 026, 036, 038
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Paper, cardboard and goods made from these materials, namely, covers for books and printed documents, packaging of paper or cardboard, printed advertisement boards of paper or cardboard, greeting and business cards, postcards; cardboard packaging containers and paper bags; printed matter, namely, printed newsletters, periodicals, magazines, catalogues, prospectuses, leaflets, brochures, folders, manuals, booklets and graphic representations in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, nature, science, history, education, mobile electronic devices, art, nutrition, fitness, sporting and cultural events and culture; photographs; art pictures; posters, placards of paper or cardboard; plastic and paper transparencies; flags of paper; boxes and signboards of paper or cardboard; calendars; stationery; paper pads; pens and pencils, erasers and stickers; printed instructional and teaching materials, namely, geographical maps, instruction books, puzzle books, and journals in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, nature, science, history, education, mobile electronic devices, art, nutrition, fitness, and culture; plastic materials for packaging, namely, plastic bags, plastic bubble packs for packaging, plastic boxes, plastic film for packaging		
<b>International Class(es):</b>	016 - Primary Class	<b>U.S Class(es):</b>	002, 005, 022, 023, 029, 037, 038, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>			



	Advertising, namely, promotion of goods and services and of competitive events in the nature of events in the field of sports, energy drinks, music and culture; distribution of goods for advertising purposes; layout services for advertising purposes; on-line advertising on a computer network; rental of advertising time on communication media; news clipping services; compilation of information into computer databases; systemization of information into computer databases; publication and writing of publicity texts; radio advertising; production and distribution of radio commercials; television advertising; production and distribution of television commercials; outdoor advertising; demonstration of goods; presentation of goods on communication media for retail purposes; sales promotion for others
<b>International Class(es):</b>	035 - Primary Class <b>U.S Class(es):</b> 100, 101, 102
<b>Class Status:</b>	ACTIVE
<b>Basis:</b>	66(a)
	<b>For:</b> Telecommunication services, namely, providing access to telecommunication networks, transmission of webcasts and streaming of audio, visual, and audio visual material via a global computer network and wireless mobile phone services; transmission of radio and television programs; electronic bulletin board services; wireless mobile phone services; providing telecommunications connections to a global computer network, telecommunications routing and junction services, teleconferencing services, providing user access to a global computer network; providing access to databases; voice mail services; rental of access time to global computer networks; television and radio broadcasting; cellular telephone communication services; providing Internet chat rooms; communications by telephone; computer aided transmission of messages and images; electronic mail; information about telecommunication; message sending; paging services via radio, telephone and other means of electronic communication; rental of access time to global computer networks; rental of telecommunication equipment; rental of telephones; satellite transmission; telephone services; providing telecommunication channels for teleshopping services; rental of telephone services
<b>International Class(es):</b>	038 - Primary Class <b>U.S Class(es):</b> 100, 101, 104
<b>Class Status:</b>	ACTIVE
<b>Basis:</b>	66(a)
	<b>For:</b> Entertainment services, namely, live musical performances and radio and television entertainment in the nature of sports, energy drinks, music, lifestyle, news, people, architecture, nature, science, history, health, nutrition, fitness, special interest features, business and management, travel, night life, engineering, agriculture, creative arts, sporting and cultural events and culture; sporting and cultural activities, namely, the organization and staging of sports competitions; organization of exhibitions for cultural, sporting and educational purposes; film production; videotaping, editing and microfilming services; publication of electronic books and journals on-line; providing non-downloadable on-line electronic publications, namely, magazines, journals, newsletters, periodicals, electronic books, blogs, online tutorials, and photo books in the field of sports, energy drinks, music, photography, travel, news, special interest features, people, entertainment, night life, adventure, nutrition, fitness, history, science, information technology, nature, business and management, engineering, architecture, health, agriculture, creative arts, sporting and cultural events and culture; game services provided on-line, namely, providing online electronic games; digital imaging services; music composition services; layout services, other than for advertising purposes; arranging and conducting of concerts; entertainment information; presentation of live performances in the field of sports, energy drinks, culture and news; production of radio and television programs and shows in the field of sports, energy drinks, culture and news; providing sports facilities; radio entertainment; recording studio services; editing, namely, video editing, written text editing, photo editing; photographic reporting, photography services; rental of sound recordings; rental of stadium facilities; none of the above services related to training in connection with the global rock excavation and material handling industry

<b>International Class(es):</b>	041 - Primary Class	<b>U.S Class(es):</b>	100, 101, 107
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Design and development of computer hardware and software, namely, computer software for mobile telephones; data conversion of computer programs and data, except physical conversion; computer system design; conversion of data or documents from physical to electronic media; installation of computer software; recovery of Computer data; Updating and maintenance of Computer software, namely, providing updates and maintenance to downloaded software on mobile telephones; Hosting web sites; Providing search engines for the Internet; Rental of computer software; Rental of web servers		
<b>International Class(es):</b>	042 - Primary Class	<b>U.S Class(es):</b>	100, 101
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		

#### ▼ Basis Information (Case Level)

<b>Filed Use:</b>	No	<b>Currently Use:</b>	No	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	Yes	<b>Currently 66A:</b>	Yes		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

#### ▼ Current Owner(s) Information

<b>Owner Name:</b>	Red Bull GmbH				
<b>Owner Address:</b>	Am Brunnen 1 A-5330 Fuschl am See AUSTRIA				
<b>Legal Entity Type:</b>	LIMITED LIABILITY COMPANY	<b>State or Country Where Organized:</b>	AUSTRIA		

#### ▼ Attorney/Correspondence Information

**Attorney of Record - None**

**Correspondent**

<b>Correspondent Name/Address:</b>	Martin R Greenstein TechMark a Law Corporation 4820 Harwood Road, 2nd Floor San Jose, CALIFORNIA UNITED STATES 95124		
<b>Phone:</b>	408-266-4700	<b>Fax:</b>	408-850-1955
<b>Correspondent e-mail:</b>	<a href="mailto:MRG@TechMark.com">MRG@TechMark.com</a>	<b>Correspondent e-mail Authorized:</b>	Yes
<b>Domestic Representative</b>			
<b>Domestic Representative Name:</b>	Martin R Greenstein		<b>Phone:</b> 408-266-4700
<b>Fax:</b>	408-850-1955		
<b>Domestic Representative e-mail:</b>	<a href="mailto:MRG@TechMark.com">MRG@TechMark.com</a>	<b>Domestic Representative e-mail Authorized:</b>	Yes

### ▼ Prosecution History

Date	Description	Proceeding Number
Jun. 26, 2014	CHANGE OF NAME/ADDRESS REC'D FROM IB	
May 14, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Apr. 10, 2013	FINAL DISPOSITION NOTICE SENT TO IB	
Apr. 10, 2013	FINAL DISPOSITION PROCESSED	72589
Apr. 08, 2013	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jan. 08, 2013	REGISTERED-PRINCIPAL REGISTER	
Dec. 10, 2012	NOTIFICATION PROCESSED BY IB	
Oct. 23, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 23, 2012	PUBLISHED FOR OPPOSITION	
Oct. 03, 2012	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Oct. 03, 2012	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Oct. 03, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 14, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Sep. 13, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	

Sep. 13, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 13, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 13, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 13, 2012	EXAMINERS AMENDMENT -WRITTEN	81099
Sep. 04, 2012	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Sep. 02, 2012	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Aug. 21, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Aug. 18, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 02, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 02, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 02, 2012	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
May 03, 2012	NOTIFICATION OF FINAL REFUSAL EMAILED	
May 03, 2012	FINAL REFUSAL E-MAILED	
May 03, 2012	FINAL REFUSAL WRITTEN	81099
Mar. 29, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	77312
Mar. 29, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	77312
Mar. 28, 2012	ASSIGNED TO LIE	77312
Mar. 16, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 16, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 16, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 18, 2011	REFUSAL PROCESSED BY IB	
Sep. 27, 2011	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Sep. 27, 2011	REFUSAL PROCESSED BY MPU	68359
Sep. 27, 2011	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Sep. 26, 2011	NON-FINAL ACTION WRITTEN	81099
Sep. 20, 2011	APPLICATION FILING RECEIPT MAILED	
Sep. 16, 2011	ASSIGNED TO EXAMINER	81099
Sep. 16, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 15, 2011	SN ASSIGNED FOR SECT 66A APPL FROM IB	

**▼ International Registration Information (Section 66a)**

<b>International Registration Number:</b>	1088699	<b>International Registration Date:</b>	Mar. 23, 2011
<b>Priority Claimed Flag:</b>	Yes	<b>Date of Section 67 Priority Claim:</b>	Feb. 07, 2011
<b>Intl. Registration Status:</b>	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b>	Sep. 15, 2011
<b>Notification of Designation Date:</b>	Sep. 15, 2011	<b>Date of Automatic Protection:</b>	Mar. 15, 2013
<b>International Registration Renewal Date:</b>	Mar. 23, 2021		
<b>First Refusal Flag:</b>	Yes		

**▼ TM Staff and Location Information****TM Staff Information - None****File Location**

<b>Current Location:</b>	PUBLICATION AND ISSUE SECTION	<b>Date in Location:</b>	Jan. 08, 2013
--------------------------	-------------------------------	--------------------------	---------------

**▼ Assignment Abstract Of Title Information - Click to Load****▼ Proceedings - Click to Load**

# EXHIBIT G



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#) | [PREV LIST](#) | [CURR LIST](#)  
[NEXT LIST](#) | [FIRST DOC](#) | [PREV DOC](#) | [NEXT DOC](#) | [LAST DOC](#)

Logout

Please logout when you are done to release system resources allocated for you.

Start

List At:

OR

Jump

to record:

**Record 18 out of 89**

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

# Red Bull



**Word Mark**  
**Goods and Services**

**RED BULL**

(CANCELLED) IC 003. US 001 004 006 050 051 052. G & S: [ Soaps, namely, bar soaps, bath soaps, body soaps, cosmetic soaps, hand soaps, liquid soaps; joss sticks; perfumery, essential oils, cosmetics, hair lotions; breath freshening sprays; sunscreen preparations ]

IC 004. US 001 006 015. G & S: Industrial oils [ and greases ]; lubricants, namely, automotive lubricants, industrial lubricants [ , lubricants for use on household items; fuels including motor spirit and illuminants, namely, lighting fuel; candles ]

(CANCELLED) IC 005. US 006 018 044 046 051 052. G & S: [ Pharmaceutical preparations for medical purposes, namely, fortifying and strengthening preparations in the nature of vitamin preparations, tonics and nutritional supplement preparations containing minerals and/or vitamins and/or trace elements for health purposes; traditional Chinese medicines for the treatment of lack of energy, metabolism disorders and digestive system disorders; medicinal infusions, namely, herb teas; dietetic foods adapted for medical use; chewing gum, fruit gums, and sweets, all for medical use ]

IC 006. US 002 012 013 014 023 025 050. G & S: Common metals and their alloys; metal building materials, namely, soffits, fascia; refractory construction materials of metal; portable metal buildings; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, namely, small items of metal hardware, namely, nuts, pulleys; pipes and tubes of metal; safes; decorative objects, namely, [ busts of non-precious metal, decorative boxes made of precious metal, desktop statuary made of non-precious metal and ] works of art of common metal; goods of metal included in this class, namely, [ taps for casks, bottle caps, containers for transport, cash boxes, ] registration plates for vehicles, non-luminous and non-mechanical signboards and panels [; metal transport containers and storage tanks; iron ores ]

(CANCELLED) IC 008. US 023 028 044. G & S: [ Hand tools, namely, adzes, awls, clamps, dies, files, hammers, planers, drills, shovels; hand operated equipment used in forestry, for the construction of machines, apparatus and vehicles, and for structural engineering, namely, hand operated lifting jacks, hand-operated cutting tools; cutlery, namely, forks, spoons, and knives; tool belts ]

IC 009. US 021 023 026 036 038. G & S: [ Scientific, photographic, cinematographic, optical, measuring, ] signaling, checking, supervision, life-saving and teaching apparatus and instruments, namely, [ cameras, ] life-saving and protection equipment, namely, [ life belts, ] life jackets, [ life nets, life preservers, ] life-buoys, protective eyewear; [ apparatus for recording, transmission or reproduction of sound or images; walkie-talkies; portable telephones; ] mouse pads; ear, body and face protective shields; spectacles, spectacle frames, spectacle cases and holders, sunglasses, goggles for sports; headphones [ ; breathing apparatus for divers, namely, rebreathers, compressed air bailout units, buoyancy bladders; swimming belts in the nature of life-buoys, life belts and weight belts for divers and life preservers in form of water wings; special purpose containers, namely, cases, sheaths and housings for switching apparatus; lights, namely, beacon lights, rotating lights; life-saving and signaling buoys; decorative magnets; signaling panels, namely, electric signs ]

(CANCELLED) IC 010. US 026 039 044. G & S: [ Condoms ]

IC 011. US 013 021 023 031 034. G & S: [ Air-conditioning and ventilation apparatus for vehicles; lighting apparatus for vehicles, namely, lights for vehicles, vehicle reflectors; ] electric lamps, bar lamps [ ; diving lights ]

(CANCELLED) IC 012. US 019 021 023 031 035 044. G & S: [ Parts for vehicles, namely, automotive structural parts; structural parts for apparatus for locomotion by land, air or water, namely, boats, motor racing vehicles, namely, racing cars, and racing boats, aircraft; bicycles; bicycle accessories, namely, luggage carriers for bicycles, bells for bicycles; dress guards for bicycles, namely, mud guards; bicycle pumps, bicycle locks, saddle covers for bicycles; saddle covers for motorcycles; motorized golf carts; automobile accessories, namely, seats and seat covers, roof racks, ski carriers, wind deflectors, head rests for seats, safety belts for vehicles, steering wheels, wheel rims, shock absorbers ]

(CANCELLED) IC 013. US 002 009. G & S: [ Fireworks; firecrackers ]

IC 014. US 002 027 028 050. G & S: Goods in precious metals and their alloys included in this class, namely, craft objects, namely, pendants, [ decorative objects, namely, figurines of precious metal,] ornaments of precious metal [ , keyrings ]; [ badge of precious metal;] jewelry \* ; \* [ , precious stones, namely, costume jewelry, cufflinks and tiepins;] horological [ and chronometrical ] instruments; wrist watches [ and watch straps ]; clock cases [ ; cases for the aforesaid goods, namely, for jewelry ]

IC 015. US 002 021 036. G & S: Musical instruments [ ; mechanical pianos and accessories therefor, namely, stands, cases, carrying bags and storage bags; musical boxes; electric and electronic musical instruments; music stands, namely, sheet music stands, musical instrument stands, music synthesizers ]

IC 016. US 002 005 022 023 029 037 038 050. G & S: [ Paper, cardboard and goods made from these materials included in this class, namely, paper towels, table napkins, filter paper, handkerchiefs of paper; clipboards; plastic transfers; ] paper labels; [ iron-on paper labels not of textile; artists' materials, namely, drawing, painting and modeling materials, in the nature of drawing materials for blackboards, painting palettes and painting tablets; paint brushes; typewriters and office requisites except furniture, namely, envelope sealing machines, punches, staplers; plastic materials for packaging, namely, plastic bags for packaging; printers' type; printing blocks; ] writing slates; [ writing implements; drawing implements, in the nature of drawing instruments; ] self-adhesive plastic sheets for decorative purposes [ ; money clips ]

(CANCELLED) IC 017. US 001 005 012 013 035 050. G & S: [ Plastic film other than for wrapping, namely, for industrial and commercial use ]

IC 018. US 001 002 003 022 041. G & S: [ Leather and imitations of leather and goods made from these materials included in this class, namely, bags, purses and pocket wallets; small goods of



leather, namely, key wallets; hand bags, briefcases, leather shopping bags, ] school satchels; [ shoulder straps; animal skins, hides; ] travelling bags [ ; walking sticks ]

IC 019. US 001 012 033 050. G & S: [ Non-transportable buildings not of metal, namely, prefabricated buildings; monuments not of metal, namely, of plastic; decorative objects, namely, decorative glass, and works of art of stone, concrete or marble; ] signaling panels, non-luminous, non-mechanical and not of metal, namely, non-metal signs for advertising, non-metal wall-mounted panel units for exhibitions, displays [ and partitioning ]; gates not of metal

IC 020. US 002 013 022 025 032 050. G & S: Furniture, picture frames; [ indoor window blinds; ] goods included in this class of wood, [ cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials ] or of plastics, namely, [ corkboards, nameplates, ] signboards, badges, non-metal key holders and key rings, picture frames; works of art and decorative objects, namely, decorative decoys, [ decorative mobiles, ] decorations of plastic for foodstuffs, ornaments, of wood, [ wax, plaster or plastic; nameplates, not of metal; coat hangers, non-metallic stoppers for bottles, ] non metal key holder for hanging keys; pegs of plastic; [ display boards and ] signboards of wood [ ; flagpoles; containers, not of metal, for industrial and commercial liquids, namely, for liquid fuel ]

IC 021. US 002 013 023 029 030 033 040 050. G & S: [ Household utensils, namely, mixing spoons; ] drinking glasses; bottles sold empty; portable ice chests for food and beverage; coolers, namely, portable coolers; [ ice cube molds; fragrance dispensers for rooms, not for medical purposes, namely, fragrance oil burners; unworked or semi-worked glass except glass used in building; ] glassware, porcelain and earthenware, namely, [ insulating jars, jugs, mugs, carafes, dishes, bowls, ] beverage ware; decorative objects, namely, [ figurines and ] works of art of glass [ , porcelain and earthenware; signboards of porcelain or glass ]

IC 022. US 001 002 007 019 022 042 050. G & S: [ Ropes, string, nets, namely, hemp netting, hanging mesh net used for storing sports balls, glass fiber netting, cotton netting, ] tents, awnings, sails [ ; sacks, namely, laundry bags, mesh bags for storage, sacks for transportation or storage of materials in bulk ]

IC 024. US 042 050. G & S: [ Textiles and textile goods, namely, fabric, namely, cotton fabric, fabric for textile use, textile fabric of animal skins imitations, namely, of leather; non-woven textile fabrics, curtains, household linen, table and bed linen; shower curtains of textile or plastic; ] cloth banners; flags not of paper, namely, cloth [ , nylon flags ]; [ cloth labels; iron-on labels, of textile; textile stickers, sew-on labels; ] wall hangings of textile

(CANCELLED) IC 025. US 022 039. G & S: [ Footwear, namely, football boots and studs, ski boots ]

IC 026. US 037 039 040 042 050. G & S: [ Ribbons and braid; buttons; ] pin badges, namely, ornamental novelty badges [ and button hole badges, namely, ornamental novelty badges ]; belt clasps [ , trouser-clips for cyclists; arts and crafts findings, namely, pom-poms; competitors' numbers not of textile ]

IC 027. US 019 020 037 042 050. G & S: [ Carpets, rugs, linoleum and other materials, namely, door mats, area rugs, bath mats, beach mats, for covering existing floors; ] wall hangings non-textile; gymnastic mats [ ; carpets for automobiles; artificial turf ]

IC 028. US 022 023 038 050. G & S: [ Playing cards, card games; practical jokes novelties, namely, face masks and fake teeth, confetti; ] gymnastic articles, namely, gymnastic apparatus \* ; \* [ , gymnastic training stools; winter sports equipment, namely, ice skates and snowshoes; tennis equipment, namely, tennis racquets, tennis balls, tennis nets, tennis racquet covers; cricket bat bags; golf bags; tennis racket cases; coverings for skis; iron shots specifically for use in the shot put competition; discuses, javelins; tennis racquets, cricket bats, golf clubs and hockey sticks; roller skates, inline roller skates; tables for table tennis; ] electric or electronic games other than those adapted for use with television receivers only [ ; coin-operated fruit machines, namely, toy gumball machines and amusement game machines; fencing weapons; archery bows; tennis nets; swimming webs, namely, flippers; harnesses and masts for sailboards ]

(CANCELLED) IC 029. US 046. G & S: [ Jellies ]

(CANCELLED) IC 030. US 046. G & S: [ Coffee, tea, cocoa, artificial coffee; pastry and confectionery, namely, frozen confectionery, pastilles, ice cream; ice; coffee, tea, cocoa drinks; chocolate food beverages not being dairy-based or vegetable based; iced tea; coffee and cocoa preparations, namely, cocoa powder, cocoa mixes for making alcoholic and non-alcoholic beverages; food flavorings; sweets, candy, fruit gums, chocolate, chocolate products, namely, chocolate bars, chocolate candies, chocolate chips, chocolate covered nuts, chocolate covered fruits, truffles, pralines with liqueur fillings; chocolate candies containing alcohol; chewing gums; grain-based food bars also containing dried fruits, fruit ice and muesli bars ]

IC 032. US 045 046 048. G & S: Non alcoholic beverages, namely, refreshing drinks in the nature of soft drinks [, punches, smoothies, lemonades, whey beverages, isotonic, ] hypertonic and hypotonic drinks for use and/or as required by athletes [ ; beer, malt beer, wheat beer, porter, ale, stout and lager; non alcoholic malt beverages; mineral water and aerated waters; fruit drinks and fruit juices; syrups, essences and other preparations, namely, concentrates for making beverages as well as effervescent sherbet tablets and effervescent powders for drinks and non-alcoholic cocktails ]

(CANCELLED) IC 033. US 047 049. G & S: [ Alcoholic beverages except beers; hot and mixed alcoholic drinks, namely, alcoholic energy drinks, mulled wine and alcoholic cocktails containing milk; alcoholic malt beverages, namely, alcoholic beverages produced from a malt base with natural flavors, malt liquor; wines, spirits and liqueurs; alcoholic preparations for making alcoholic beverages, namely, alcoholic cocktail mixes; spirit or wine-based cocktails and aperitifs; alcoholic beverages containing wine ]

(CANCELLED) IC 034. US 002 008 009 017. G & S: [ Tobacco; tobacco products, namely, cigars, cigarettes, smoking tobacco, chewing tobacco, snuff tobacco; tobacco substitutes not for medicinal purposes; smokers' articles, namely, tobacco tins, cigar and cigarette holders, cigar and cigarette cases, ashtrays, humidors, pipe stands, pipe cleaners, cigar cutters, smoking pipes, smoking pipe bags, lighters, pocket apparatus for cigarettes, cigarette papers, cigarette cases, cigarette filters; matches ]

IC 035. US 100 101 102. G & S: Layout services for advertising purposes; rental of advertising space on communication media; news clipping services; [business organization consultancy; business management; business administration; office functions; ] organization of trade fairs and exhibitions for commercial or advertising purposes; rental of vending machines[; compilation of statistics; sponsorship search ]

(CANCELLED) IC 037. US 100 103 106. G & S: [ Repair or maintenance of aircraft and automobiles; building construction ]

IC 038. US 100 101 104. G & S: [ Telecommunication services, namely, transmission of voice, data, graphics, images, e-mail, podcasts, audio and video by means of telecommunications networks, wireless communication networks, broadcast services, broadband optical or wireless networks, leased line and microwave services and the Internet; ] transmission of [ radio and ] television programs by broadcast, podcasting, internet distribution [, satellite, cable and optical wire; providing on-line electronic bulletin board services for the transmission of messages among computer users in the field of general interest ]

(CANCELLED) IC 039. US 100 105. G & S: [ Transport of persons and goods by air, road, rail and boat; rental of aircraft and vehicles; parcel delivery; packaging and storage of goods for transportation ]

IC 041. US 100 101 107. G & S: Education services, namely, providing, arranging and conducting seminars, classes, courses, workshops in the field of physical and mental health and fitness, sports, athletic competitions and culture; providing of training in the field of physical and mental health and fitness, sports, athletic competitions and culture [ ; rental of video tapes, videotape cassettes and DVDs, video tape film production, DVD production featuring physical and mental health and fitness, sports, athletic competitions and culture; videotaping and microfilming for others; publication of electronic books on-line; providing karaoke services; digital imaging services; music composition services for others; layout services, other than for advertising purposes ]

IC 042. US 100 101. G & S: Research in the field of physical and mental health and fitness, sports, athletic competitions and culture; industrial analysis, namely, technical, chemical, biological analysis and research services in the field of functional food and beverages and their effects to the human body, the performance ability of the human body and to mental fitness; computer software design; design and development of computer [ hardware and ] software; [ computer programming; data conversion of computer programs data and information, not physical conversion; computer system design; conversion of data or documents from physical to electronic media; ] creating and maintaining websites for others, hosting web sites [ ; installation of computer software ]

(CANCELLED) IC 043. US 100 101. G & S: [ Temporary accommodation, namely, hotels, boarding houses, holiday camps, namely, providing food and lodging that specialize in promoting patrons' general health and well-being, tourist homes, motels; temporary accommodation reservations; rental of portable buildings, portable sports bars and tents; rental of chairs, tables, table linen, glassware and bar equipment ]

<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.07.01 - Cattle; Oxen, cows, calves, bulls; Steers 03.07.24 - Stylized bovines, deer, antelopes, goats, sheep, pigs, cows, bulls, buffalo, moose 26.01.02 - Circles, plain single line; Plain single line circles
<b>Trademark Search Facility Classification Code</b>	ANI-MAMM Mammalia; accurate depiction of warm-blooded animals except for human beings SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles
<b>Serial Number</b>	79051172
<b>Filing Date</b>	August 16, 2007
<b>Current Basis</b>	66A
<b>Original Filing Basis</b>	66A
<b>Published for Opposition</b>	September 15, 2009
<b>Change In Registration</b>	CHANGE IN REGISTRATION HAS OCCURRED
<b>Registration Number</b>	3718691
<b>International Registration Number</b>	0956851
<b>Registration Date</b>	December 1, 2009
<b>Owner</b>	(REGISTRANT) Red Bull GmbH UNKNOWN AUSTRIA Am Brunnen 1 A-5330 Fuschl am See AUSTRIA
<b>Attorney of Record</b>	Martin R. Greenstein
<b>Priority Date</b>	July 25, 2007
<b>Prior Registrations</b>	2494093;3051994;3561283
<b>Description of Mark</b>	Color is not claimed as a feature of the mark. The mark consists of the words "Red Bull". Below the wording appear two opposing or "charging" Bull figures positioned in front of a disk or "sun" design.
<b>Type of Mark</b>	TRADEMARK. SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Affidavit Text</b>	SECTION 71
<b>Live/Dead Indicator</b>	LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

---

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS

DOCUMENTS

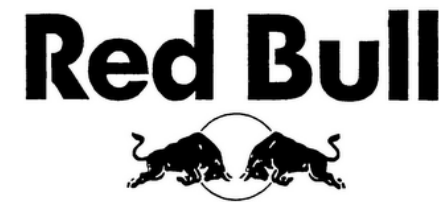
MAINTENANCE

[Back to Search](#)

Print

**Generated on:** This page was generated by TSDR on 2016-04-21 18:14:47 EDT

**Mark:** RED BULL



**US Serial Number:** 79051172

**Application Filing Date:** Aug. 16, 2007

**US Registration Number:** 3718691

**Registration Date:** Dec. 01, 2009

**Register:** Principal

**Mark Type:** Trademark, Service Mark

**Status:** A cancellation proceeding is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

**Status Date:** Dec. 03, 2014

**Publication Date:** Sep. 15, 2009

## ▼ Mark Information

[▲ Collapse All](#)

**Mark Literal Elements:** RED BULL

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of the words "Red Bull". Below the wording appear two opposing or "charging" Bull figures positioned in front of a disk or "sun" design.

**Color(s) Claimed:** Color is not claimed as a feature of the mark.

**Design Search Code(s):** 03.07.01 - Cattle; Steers; Oxen, cows, calves, bulls  
03.07.24 - Stylized bovines, deer, antelopes, goats, sheep, pigs, cows, bulls, buffalo, moose  
26.01.02 - Plain single line circles; Circles, plain single line

## ▼ Related Properties Information

**International Registration  
Number:** [0956851](#)

**International Registration Date:** Aug. 16, 2007

**Claimed Ownership of US  
Registrations:** [2494093](#), [3051994](#), [3561283](#)

## ▼ Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** [ Soaps, namely, bar soaps, bath soaps, body soaps, cosmetic soaps, hand soaps, liquid soaps; joss sticks; perfumery, essential oils, cosmetics, hair lotions; breath freshening sprays; sunscreen preparations ]

**International Class(es):** 003 - Primary Class

**U.S Class(es):** 001, 004, 006, 050, 051, 052

**Class Status:** SECTION 71 - CANCELLED

**Basis:** 66(a)

**For:** Industrial oils [ and greases ]; lubricants, namely, automotive lubricants, industrial lubricants [, lubricants for use on household items; fuels including motor spirit and illuminants, namely, lighting fuel; candles ]

**International Class(es):** 004 - Primary Class

**U.S Class(es):** 001, 006, 015

**Class Status:** ACTIVE

**Basis:** 66(a)

	<b>For:</b> [ Pharmaceutical preparations for medical purposes, namely, fortifying and strengthening preparations in the nature of vitamin preparations, tonics and nutritional supplement preparations containing minerals and/or vitamins and/or trace elements for health purposes; traditional Chinese medicines for the treatment of lack of energy, metabolism disorders and digestive system disorders; medicinal infusions, namely, herb teas; dietetic foods adapted for medical use; chewing gum, fruit gums, and sweets, all for medical use ]
<b>International Class(es):</b>	005 - Primary Class <b>U.S Class(es):</b> 006, 018, 044, 046, 051, 052
<b>Class Status:</b>	SECTION 71 - CANCELLED
<b>Basis:</b>	66(a)
	<b>For:</b> Common metals and their alloys; metal building materials, namely, soffits, fascia; refractory construction materials of metal; portable metal buildings; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, namely, small items of metal hardware, namely, nuts, pulleys; pipes and tubes of metal; safes; decorative objects, namely, [ busts of non-precious metal, decorative boxes made of precious metal, desktop statuary made of non-precious metal and ] works of art of common metal; goods of metal included in this class, namely, [ taps for casks, bottle caps, containers for transport, cash boxes, ] registration plates for vehicles, non-luminous and non-mechanical signboards and panels [; metal transport containers and storage tanks; iron ores ]
<b>International Class(es):</b>	006 - Primary Class <b>U.S Class(es):</b> 002, 012, 013, 014, 023, 025, 050
<b>Class Status:</b>	ACTIVE
<b>Basis:</b>	66(a)
	<b>For:</b> [ Hand tools, namely, adzes, awls, clamps, dies, files, hammers, planers, drills, shovels; hand operated equipment used in forestry, for the construction of machines, apparatus and vehicles, and for structural engineering, namely, hand operated lifting jacks, hand-operated cutting tools; cutlery, namely, forks, spoons, and knives; tool belts ]
<b>International Class(es):</b>	008 - Primary Class <b>U.S Class(es):</b> 023, 028, 044
<b>Class Status:</b>	SECTION 71 - CANCELLED
<b>Basis:</b>	66(a)
	<b>For:</b> [ Scientific, photographic, cinematographic, optical, measuring, ] signaling, checking, supervision, life-saving and teaching apparatus and instruments, namely, [ cameras, ] life-saving and protection equipment, namely, [ life belts, ] life jackets, [ life nets, life preservers, ] life-buoys, protective eyewear; [ apparatus for recording, transmission or reproduction of sound or images; walkie-talkies; portable telephones; ] mouse pads; ear, body and face protective shields; spectacles, spectacle frames, spectacle cases and holders, sunglasses, goggles for sports; headphones [ ; breathing apparatus for divers, namely, rebreathers, compressed air bailout units, buoyancy bladders; swimming belts in the nature of life-buoys, life belts and weight belts for divers and life preservers in form of water wings; special purpose containers, namely, cases, sheaths and housings for switching apparatus; lights, namely, beacon lights, rotating lights; life-saving and signaling buoys; decorative magnets; signaling panels, namely, electric signs ]
<b>International Class(es):</b>	009 - Primary Class <b>U.S Class(es):</b> 021, 023, 026, 036, 038

<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Condoms ]		
<b>International Class(es):</b>	010 - Primary Class	<b>U.S Class(es):</b>	026, 039, 044
<b>Class Status:</b>	SECTION 71 - CANCELLED		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Air-conditioning and ventilation apparatus for vehicles; lighting apparatus for vehicles, namely, lights for vehicles, vehicle reflectors; ] electric lamps, bar lamps [ ; diving lights ]		
<b>International Class(es):</b>	011 - Primary Class	<b>U.S Class(es):</b>	013, 021, 023, 031, 034
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Parts for vehicles, namely, automotive structural parts; structural parts for apparatus for locomotion by land, air or water, namely, boats, motor racing vehicles, namely, racing cars, and racing boats, aircraft; bicycles; bicycle accessories, namely, luggage carriers for bicycles, bells for bicycles; dress guards for bicycles, namely, mud guards; bicycle pumps, bicycle locks, saddle covers for bicycles; saddle covers for motorcycles; motorized golf carts; automobile accessories, namely, seats and seat covers, roof racks, ski carriers, wind deflectors, head rests for seats, safety belts for vehicles, steering wheels, wheel rims, shock absorbers ]		
<b>International Class(es):</b>	012 - Primary Class	<b>U.S Class(es):</b>	019, 021, 023, 031, 035, 044
<b>Class Status:</b>	SECTION 71 - CANCELLED		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Fireworks; firecrackers ]		
<b>International Class(es):</b>	013 - Primary Class	<b>U.S Class(es):</b>	002, 009
<b>Class Status:</b>	SECTION 71 - CANCELLED		
<b>Basis:</b>	66(a)		
<b>For:</b>	Goods in precious metals and their alloys included in this class, namely, craft objects, namely, pendants, [ decorative objects, namely, figurines of precious metal,] ornaments of precious metal [ , keyrings ]; [ badge of precious metal;] jewelry * ; * [ , precious stones, namely, costume jewelry, cufflinks and tiepins;] horological [ and chronometrical ] instruments; wrist watches [ and watch straps ]; clock cases [ ; cases for the aforesaid goods, namely, for jewelry ]		



<b>International Class(es):</b>	014 - Primary Class	<b>U.S Class(es):</b>	002, 027, 028, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Musical instruments [ ; mechanical pianos and accessories therefor, namely, stands, cases, carrying bags and storage bags; musical boxes; electric and electronic musical instruments; music stands, namely, sheet music stands, musical instrument stands, music synthesizers ]		
<b>International Class(es):</b>	015 - Primary Class	<b>U.S Class(es):</b>	002, 021, 036
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Paper, cardboard and goods made from these materials included in this class, namely, paper towels, table napkins, filter paper, handkerchiefs of paper; clipboards; plastic transfers; ] paper labels; [ iron-on paper labels not of textile; artists' materials, namely, drawing, painting and modeling materials, in the nature of drawing materials for blackboards, painting palettes and painting tablets; paint brushes; typewriters and office requisites except furniture, namely, envelope sealing machines, punches, staplers; plastic materials for packaging, namely, plastic bags for packaging; printers' type; printing blocks; ] writing slates; [ writing implements; drawing implements, in the nature of drawing instruments; ] self-adhesive plastic sheets for decorative purposes [ ; money clips ]		
<b>International Class(es):</b>	016 - Primary Class	<b>U.S Class(es):</b>	002, 005, 022, 023, 029, 037, 038, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Plastic film other than for wrapping, namely, for industrial and commercial use ]		
<b>International Class(es):</b>	017 - Primary Class	<b>U.S Class(es):</b>	001, 005, 012, 013, 035, 050
<b>Class Status:</b>	SECTION 71 - CANCELLED		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Leather and imitations of leather and goods made from these materials included in this class, namely, bags, purses and pocket wallets; small goods of leather, namely, key wallets; hand bags, briefcases, leather shopping bags, ] school satchels; [ shoulder straps; animal skins, hides; ] travelling bags [ ; walking sticks ]		
<b>International Class(es):</b>	018 - Primary Class	<b>U.S Class(es):</b>	001, 002, 003, 022, 041
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		

<b>For:</b>	[ Non-transportable buildings not of metal, namely, prefabricated buildings; monuments not of metal, namely, of plastic; decorative objects, namely, decorative glass, and works of art of stone, concrete or marble; ] signaling panels, non-luminous, non-mechanical and not of metal, namely, non-metal signs for advertising, non-metal wall-mounted panel units for exhibitions, displays [ and partitioning ]; gates not of metal		
<b>International Class(es):</b>	019 - Primary Class	<b>U.S Class(es):</b>	001, 012, 033, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Furniture, picture frames; [ indoor window blinds; ] goods included in this class of wood, [ cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials ] or of plastics, namely, [ corkboards, nameplates, ] signboards, badges, non-metal key holders and key rings, picture frames; works of art and decorative objects, namely, decorative decoys, [ decorative mobiles, ] decorations of plastic for foodstuffs, ornaments, of wood, [ wax, plaster or plastic; nameplates, not of metal; coat hangers, non-metallic stoppers for bottles, ] non metal key holder for hanging keys; pegs of plastic; [ display boards and ] signboards of wood [ ; flagpoles; containers, not of metal, for industrial and commercial liquids, namely, for liquid fuel ]		
<b>International Class(es):</b>	020 - Primary Class	<b>U.S Class(es):</b>	002, 013, 022, 025, 032, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Household utensils, namely, mixing spoons; ] drinking glasses; bottles sold empty; portable ice chests for food and beverage; coolers, namely, portable coolers; [ ice cube molds; fragrance dispensers for rooms, not for medical purposes, namely, fragrance oil burners; unworked or semi-worked glass except glass used in building; ] glassware, porcelain and earthenware, namely, [ insulating jars, jugs, mugs, carafes, dishes, bowls, ] beverageware; decorative objects, namely, [ figurines and ] works of art of glass [ , porcelain and earthenware; signboards of porcelain or glass ]		
<b>International Class(es):</b>	021 - Primary Class	<b>U.S Class(es):</b>	002, 013, 023, 029, 030, 033, 040, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Ropes, string, nets, namely, hemp netting, hanging mesh net used for storing sports balls, glass fiber netting, cotton netting, ] tents, awnings, sails [ ; sacks, namely, laundry bags, mesh bags for storage, sacks for transportation or storage of materials in bulk ]		
<b>International Class(es):</b>	022 - Primary Class	<b>U.S Class(es):</b>	001, 002, 007, 019, 022, 042, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>			

	[ Textiles and textile goods, namely, fabric, namely, cotton fabric, fabric for textile use, textile fabric of animal skins imitations, namely, of leather; non-woven textile fabrics, curtains, household linen, table and bed linen; shower curtains of textile or plastic; ] cloth banners; flags not of paper, namely, cloth [, nylon flags ]; [ cloth labels; iron-on labels, of textile; textile stickers, sew-on labels; ] wall hangings of textile		
International Class(es):	024 - Primary Class	U.S Class(es):	042, 050
Class Status:	ACTIVE		
Basis:	66(a)		
For:	[ Footwear, namely, football boots and studs, ski boots ]		
International Class(es):	025 - Primary Class	U.S Class(es):	022, 039
Class Status:	SECTION 71 - CANCELLED		
Basis:	66(a)		
For:	[ Ribbons and braid; buttons; ] pin badges, namely, ornamental novelty badges [ and button hole badges, namely, ornamental novelty badges ]; belt clasps [, trouser-clips for cyclists; arts and crafts findings, namely, pom-poms; competitors' numbers not of textile ]		
International Class(es):	026 - Primary Class	U.S Class(es):	037, 039, 040, 042, 050
Class Status:	ACTIVE		
Basis:	66(a)		
For:	[ Carpets, rugs, linoleum and other materials, namely, door mats, area rugs, bath mats, beach mats, for covering existing floors; ] wall hangings non-textile; gymnastic mats [ ; carpets for automobiles; artificial turf ]		
International Class(es):	027 - Primary Class	U.S Class(es):	019, 020, 037, 042, 050
Class Status:	ACTIVE		
Basis:	66(a)		
For:	[ Playing cards, card games; practical jokes novelties, namely, face masks and fake teeth, confetti;] gymnastic articles, namely, gymnastic apparatus * ; * [, gymnastic training stools; winter sports equipment, namely, ice skates and snowshoes; tennis equipment, namely, tennis racquets, tennis balls, tennis nets, tennis racquet covers; cricket bat bags; golf bags; tennis racket cases; coverings for skis; iron shots specifically for use in the shot put competition; discuses, javelins; tennis racquets, cricket bats, golf clubs and hockey sticks; roller skates, inline roller skates; tables for table tennis; ] electric or electronic games other than those adapted for use with television receivers only [ ; coin-operated fruit machines, namely, toy gumball machines and amusement game machines; fencing weapons; archery bows; tennis nets; swimming webs, namely, flippers; harnesses and masts for sailboards ]		
International Class(es):	028 - Primary Class	U.S Class(es):	022, 023, 038, 050

<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Jellies ]		
<b>International Class(es):</b>	029 - Primary Class	<b>U.S Class(es):</b>	046
<b>Class Status:</b>	SECTION 71 - CANCELLED		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Coffee, tea, cocoa, artificial coffee; pastry and confectionery, namely, frozen confectionery, pastilles, ice cream; ice; coffee, tea, cocoa drinks; chocolate food beverages not being dairy-based or vegetable based; iced tea; coffee and cocoa preparations, namely, cocoa powder, cocoa mixes for making alcoholic and non-alcoholic beverages; food flavorings; sweets, candy, fruit gums, chocolate, chocolate products, namely, chocolate bars, chocolate candies, chocolate chips, chocolate covered nuts, chocolate covered fruits, truffles, pralines with liqueur fillings; chocolate candies containing alcohol; chewing gums; grain-based food bars also containing dried fruits, fruit ice and muesli bars ]		
<b>International Class(es):</b>	030 - Primary Class	<b>U.S Class(es):</b>	046
<b>Class Status:</b>	SECTION 71 - CANCELLED		
<b>Basis:</b>	66(a)		
<b>For:</b>	Non alcoholic beverages, namely, refreshing drinks in the nature of soft drinks [, punches, smoothies, lemonades, whey beverages, isotonic, ] hypertonic and hypotonic drinks for use and/or as required by athletes [ ; beer, malt beer, wheat beer, porter, ale, stout and lager; non alcoholic malt beverages; mineral water and aerated waters; fruit drinks and fruit juices; syrups, essences and other preparations, namely, concentrates for making beverages as well as effervescent sherbet tablets and effervescent powders for drinks and non-alcoholic cocktails ]		
<b>International Class(es):</b>	032 - Primary Class	<b>U.S Class(es):</b>	045, 046, 048
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	[ Alcoholic beverages except beers; hot and mixed alcoholic drinks, namely, alcoholic energy drinks, mulled wine and alcoholic cocktails containing milk; alcoholic malt beverages, namely, alcoholic beverages produced from a malt base with natural flavors, malt liquor; wines, spirits and liqueurs; alcoholic preparations for making alcoholic beverages, namely, alcoholic cocktail mixes; spirit or wine-based cocktails and aperitifs; alcoholic beverages containing wine ]		
<b>International Class(es):</b>	033 - Primary Class	<b>U.S Class(es):</b>	047, 049
<b>Class Status:</b>	SECTION 71 - CANCELLED		

<b>Basis:</b> 66(a)	
<b>For:</b> [ Tobacco; tobacco products, namely, cigars, cigarettes, smoking tobacco, chewing tobacco, snuff tobacco; tobacco substitutes not for medicinal purposes; smokers' articles, namely, tobacco tins, cigar and cigarette holders, cigar and cigarette cases, ashtrays, humidors, pipe stands, pipe cleaners, cigar cutters, smoking pipes, smoking pipe bags, lighters, pocket apparatus for cigarettes, cigarette papers, cigarette cases, cigarette filters; matches ]	
<b>International Class(es):</b> 034 - Primary Class	<b>U.S Class(es):</b> 002, 008, 009, 017
<b>Class Status:</b> SECTION 71 - CANCELLED	
<b>Basis:</b> 66(a)	
<b>For:</b> Layout services for advertising purposes; rental of advertising space on communication media; news clipping services; [business organization consultancy; business management; business administration; office functions; ] organization of trade fairs and exhibitions for commercial or advertising purposes; rental of vending machines[; compilation of statistics; sponsorship search ]	
<b>International Class(es):</b> 035 - Primary Class	<b>U.S Class(es):</b> 100, 101, 102
<b>Class Status:</b> ACTIVE	
<b>Basis:</b> 66(a)	
<b>For:</b> [ Repair or maintenance of aircraft and automobiles; building construction ]	
<b>International Class(es):</b> 037 - Primary Class	<b>U.S Class(es):</b> 100, 103, 106
<b>Class Status:</b> SECTION 71 - CANCELLED	
<b>Basis:</b> 66(a)	
<b>For:</b> [ Telecommunication services, namely, transmission of voice, data, graphics, images, e-mail, podcasts, audio and video by means of telecommunications networks, wireless communication networks, broadcast services, broadband optical or wireless networks, leased line and microwave services and the Internet; ] transmission of [ radio and ] television programs by broadcast, podcasting, internet distribution [, satellite, cable and optical wire; providing on-line electronic bulletin board services for the transmission of messages among computer users in the field of general interest ]	
<b>International Class(es):</b> 038 - Primary Class	<b>U.S Class(es):</b> 100, 101, 104
<b>Class Status:</b> ACTIVE	
<b>Basis:</b> 66(a)	
<b>For:</b> [ Transport of persons and goods by air, road, rail and boat; rental of aircraft and vehicles; parcel delivery; packaging and storage of goods for transportation ]	

	<b>International Class(es):</b>	039 - Primary Class	<b>U.S Class(es):</b>	100, 105
	<b>Class Status:</b>	SECTION 71 - CANCELLED		
	<b>Basis:</b>	66(a)		
	<b>For:</b>	Education services, namely, providing, arranging and conducting seminars, classes, courses, workshops in the field of physical and mental health and fitness, sports, athletic competitions and culture; providing of training in the field of physical and mental health and fitness, sports, athletic competitions and culture [ ; rental of video tapes, videotape cassettes and DVDs, video tape film production, DVD production featuring physical and mental health and fitness, sports, athletic competitions and culture; videotaping and microfilming for others; publication of electronic books on-line; providing karaoke services; digital imaging services; music composition services for others; layout services, other than for advertising purposes ]		
	<b>International Class(es):</b>	041 - Primary Class	<b>U.S Class(es):</b>	100, 101, 107
	<b>Class Status:</b>	ACTIVE		
	<b>Basis:</b>	66(a)		
	<b>For:</b>	Research in the field of physical and mental health and fitness, sports, athletic competitions and culture; industrial analysis, namely, technical, chemical, biological analysis and research services in the field of functional food and beverages and their effects to the human body, the performance ability of the human body and to mental fitness; computer software design; design and development of computer [ hardware and ] software; [ computer programming; data conversion of computer programs data and information, not physical conversion; computer system design; conversion of data or documents from physical to electronic media; ] creating and maintaining websites for others, hosting web sites [ ; installation of computer software ]		
	<b>International Class(es):</b>	042 - Primary Class	<b>U.S Class(es):</b>	100, 101
	<b>Class Status:</b>	ACTIVE		
	<b>Basis:</b>	66(a)		
	<b>For:</b>	[ Temporary accommodation, namely, hotels, boarding houses, holiday camps, namely, providing food and lodging that specialize in promoting patrons' general health and well-being, tourist homes, motels; temporary accommodation reservations; rental of portable buildings, portable sports bars and tents; rental of chairs, tables, table linen, glassware and bar equipment ]		
	<b>International Class(es):</b>	043 - Primary Class	<b>U.S Class(es):</b>	100, 101
	<b>Class Status:</b>	SECTION 71 - CANCELLED		
	<b>Basis:</b>	66(a)		
▼ <b>Basis Information (Case Level)</b>				
<b>Filed Use:</b>		No	<b>Currently Use:</b>	No
			<b>Amended Use:</b>	No

<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	Yes	<b>Currently 66A:</b>	Yes		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

### ▼ Current Owner(s) Information

<b>Owner Name:</b>	Red Bull GmbH				
<b>Owner Address:</b>	Am Brunnen 1 A-5330 Fuschl am See AUSTRIA				
<b>Legal Entity Type:</b>	gesellschaft mit beschränkter haftung (gmbh)	<b>State or Country Where Organized:</b>	AUSTRIA		

### ▼ Attorney/Correspondence Information

#### Attorney of Record

<b>Attorney Name:</b>	Martin R. Greenstein	<b>Docket Number:</b>	WS 23.670		
<b>Attorney Primary Email Address:</b>	<a href="mailto:MRG@TechMark.com">MRG@TechMark.com</a>	<b>Attorney Email Authorized:</b>	Yes		

#### Correspondent

<b>Correspondent Name/Address:</b>	NEIL D GREENSTEIN TECHMARK A LAW CORPORATION 4820 HARWOOD ROAD 2ND FLOOR SAN JOSE, CALIFORNIA UNITED STATES 95124-5237				
<b>Phone:</b>	408-266-4700	<b>Fax:</b>	408-850-1955		
<b>Correspondent e-mail:</b>	<a href="mailto:MRG@TechMark.com">MRG@TechMark.com</a> <a href="mailto:AMR@TechMark.com">AMR@TechMark.com</a> <a href="mailto:LZH@TechMark.com">LZH@TechMark.com</a>	<b>Correspondent e-mail Authorized:</b>	Yes		

#### Domestic Representative

<b>Domestic Representative Name:</b>	Martin R. Greenstein	<b>Phone:</b>	408-266-4700
<b>Fax:</b>	408-850-1955		
<b>Domestic Representative e-mail:</b>	<a href="mailto:MRG@TechMark.com">MRG@TechMark.com</a>	<b>Domestic Representative e-mail Authorized:</b>	Yes

### ▼ Prosecution History

Date	Description	Proceeding Number
Mar. 24, 2016	NOTICE OF ACCEPTANCE OF SEC. 71 - E-MAILED	
Mar. 24, 2016	REGISTERED - PARTIAL SEC 71 ACCEPTED	76873
Dec. 01, 2015	REGISTERED-SEC.71 FILED	76873
Mar. 03, 2016	TEAS VOLUNTARY AMENDMENT RECEIVED	
Jan. 12, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76873
Dec. 01, 2015	TEAS SECTION 71 & 15 RECEIVED	
Dec. 03, 2014	CANCELLATION INSTITUTED NO. 999999	60455
Jun. 26, 2014	CHANGE OF NAME/ADDRESS REC'D FROM IB	
Jan. 27, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Mar. 18, 2010	FINAL DISPOSITION NOTICE SENT TO IB	
Mar. 18, 2010	FINAL DISPOSITION PROCESSED	72589
Mar. 01, 2010	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Dec. 01, 2009	REGISTERED-PRINCIPAL REGISTER	
Nov. 02, 2009	EMAIL RECEIVED	65294
Oct. 29, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 23, 2009	CHANGE OF OWNER RECEIVED FROM IB	
Oct. 15, 2009	NEW REPRESENTATIVE AT IB RECEIVED	
Oct. 02, 2009	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Sep. 17, 2009	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Sep. 17, 2009		



	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	
Sep. 15, 2009	PUBLISHED FOR OPPOSITION	
Aug. 26, 2009	NOTICE OF PUBLICATION	
Aug. 12, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	78413
Aug. 12, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 10, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	78413
Jul. 10, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	78413
Jul. 07, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 08, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 08, 2009	NON-FINAL ACTION E-MAILED	6325
Jan. 08, 2009	NON-FINAL ACTION WRITTEN	82422
Nov. 07, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	78413
Nov. 07, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	78413
Nov. 07, 2008	ASSIGNED TO LIE	78413
Oct. 27, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 27, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 15, 2008	REFUSAL PROCESSED BY IB	
Apr. 30, 2008	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Apr. 30, 2008	REFUSAL PROCESSED BY MPU	72589
Apr. 30, 2008	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Apr. 29, 2008	NON-FINAL ACTION WRITTEN	82422
Apr. 18, 2008	ASSIGNED TO EXAMINER	82422
Apr. 18, 2008	NEW APPLICATION ENTERED IN TRAM	
Apr. 17, 2008	SN ASSIGNED FOR SECT 66A APPL FROM IB	

#### ▼ International Registration Information (Section 66a)

<b>International Registration Number:</b>	0956851	<b>International Registration Date:</b>	Aug. 16, 2007
<b>Priority Claimed Flag:</b>	Yes	<b>Date of Section 67 Priority Claim:</b>	Jul. 25, 2007
<b>Intl. Registration Status:</b>	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b>	Apr. 17, 2008
<b>Notification of Designation Date:</b>	Apr. 17, 2008	<b>Date of Automatic Protection:</b>	Oct. 17, 2009
<b>International Registration Renewal Date:</b>	Aug. 16, 2017		
<b>First Refusal Flag:</b>	Yes		

#### ▼ Maintenance Filings or Post Registration Information

<b>Affidavit of Continued Use:</b>	Section 71 - Accepted in Part
<b>Change in Registration:</b>	Yes

#### ▼ TM Staff and Location Information

##### TM Staff Information - None

##### File Location

<b>Current Location:</b>	Not Found	<b>Date in Location:</b>	Mar. 24, 2016
--------------------------	-----------	--------------------------	---------------

#### ▼ Assignment Abstract Of Title Information - Click to Load

#### ▼ Proceedings - Click to Load

# EXHIBIT H



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

Logout

Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

# VA VA FROOME

#### Word Mark Goods and Services

#### VA VA FROOME

IC 005. US 006 018 044 046 051 052. G & S: Pharmaceutical preparations for the treatment of muscle-ache and sports related injuries; cleaners, namely, antibacterial cleaners; medications for treatment of wounds and skin lesions; medical plasters and bandages for skin wounds; dietetic foods, namely, meal replacement bars, energy bars, and glucose gels, all adapted for medical use; treatments and remedies, namely, preparations for treatment of muscle-ache, sports related injuries, and skin wounds; dietary and nutritional supplements and dietary supplemental drinks; medicated gels, creams and solutions for dermatological use

IC 009. US 021 023 026 036 038. G & S: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking in the nature of supervision, life-saving and teaching apparatus and instruments, namely, speed indicators, camcorders, cameras, speed measuring apparatus; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers and blank recordable optical recording discs; cash registers, calculating machines and data processing equipment and computers; fire-extinguishing apparatus; protective insulated clothing, footwear and headgear for protection against accident or injury; spectacle cases, frames and glasses; sunglasses; eyewear cases; parts and fittings for all the aforesaid goods, namely, eyeglass chains and pince-nez chains, eyeglass cords and pince-nez cords, anti-glare lenses, 3D lenses, structural replacement parts; computer software for database management, word processing, accessing social media services, online exchange of data, all for fitness and training programs

IC 012. US 019 021 023 031 035 044. G & S: Bicycles; pedal land vehicles, scooters, electric and electrically assisted bicycles, bicycle carriers for vehicles; air pumps being fitted for bicycles for the inflation of tires; shaped bicycle seat covers made of textile materials; bicycle water bottle cages, water bottle cages for land vehicles, anti-glare sun strips specifically fitted for vehicle windscreens; fittings for bicycles for carrying luggage; luggage carriers for bicycles; baskets and bags adapted for use on bicycles; bags and pouches adapted for use with on bicycles; bicycle wedge bags; bicycle frame bags; wire and wicker bicycle baskets adapted for use on bicycles; panniers adapted for use on bicycles; liners and linings fitted for baskets adapted for use on bicycles; parts and fittings for all the aforesaid goods, namely, structural replacement parts

IC 016. US 002 005 022 023 029 037 038 050. G & S: Printed matter, namely, books, magazine, manuals, and newsletters in the field of sports, cycling and exercise; photographs; stationery; printed instructional and teaching material in the field of sports, cycling and exercise; publications, namely, books and magazines in the field of sports, cycling and exercise; calendars; catalogs in the field of sports, cycling and exercise

IC 025. US 022 039. G & S: Clothing for sporting, leisure, cyclists, women, men, and children, namely, bandanas, bathing suits, bathing trunks, swimwear for bicyclists, belts, gloves, jackets, jerseys, t-shirts, shirts, sweaters, knitted sweaters, knitted hats, knitted scarves, tracksuits, training tights, sports bras, leggings, trousers, shorts, scarves, pullovers, sports jerseys, sweat absorbent underclothing, vests, waterproof jackets, waterproof shirts, waterproof pants, waterproof footwear, and wristbands; bicycling gloves; sweat bands; footwear; socks; sports footwear; plimsolls; training shoes; headgear, namely, cap peaks, caps, headbands, hoods, and sun visors

IC 028. US 022 023 038 050. G & S: Toys, games and playthings, namely, children's toys, board games, children's toy bicycles, model vehicles, model bicycles, roller skates, in-line skates, toy scooters, scale model kits, scale model vehicles, stuffed toys, teddy bears, pedal-propelled wheeled toys; sporting articles and apparatus, namely, shin guards, elbow guards, stationery exercise bicycles, and machines for physical exercises; children's cycles and scooters, toy bicycles and toy scooters other than for transport; devices for converting bicycles to static stationary exercise bicycles; roller skates and skate boards; sledges for use in down-hill amusement rides; parts and fittings for all the aforesaid goods, namely, structural replacement parts

IC 032. US 045 046 048. G & S: Mineral and aerated waters and other non-alcoholic beverages, namely, lemonades, smoothies and vegetable juices; energy drinks; fruit drinks and fruit juices; syrups for making beverages; powders for making soft drinks

IC 041. US 100 101 107. G & S: Educational services, namely, classes, seminars, workshops in the field of cycling instruction; providing of training in the field of professional cycling; entertainment services, namely, organizing, arranging, and conducting cycling events; organizing community sporting and cultural events; organization of sports competitions; organizing, arranging and conducting sports cycling events

**Standard  
Characters  
Claimed**

**Mark  
Drawing  
Code**

(4) STANDARD CHARACTER MARK

**Serial  
Number**

86287844

**Filing Date**

May 21, 2014

**Current  
Basis**

44E

**Original  
Filing Basis**

1B;44D

**Published for  
Opposition**

February 10, 2015

**Registration  
Number**

4861822

**Registration  
Date**

December 1, 2015

**Owner**

(REGISTRANT) Christopher Clive Froome INDIVIDUAL MONACO 4 Avenue des Guelfes Memmo Center B50 MC MONACO 98000

**Attorney of  
Record**

Timothy D. Pecsénye

**Type of Mark**

TRADEMARK. SERVICE MARK

**Register**

PRINCIPAL  
LIVE

**Live/Dead  
Indicator**[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[| HOME](#) [| SITE INDEX](#) [| SEARCH](#) [| eBUSINESS](#) [| HELP](#) [| PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml). Questions may be directed to [the TSDR Mailbox](#).

STATUS	DOCUMENTS	MAINTENANCE	<a href="#">Back to Search</a>	Print
<b>Generated on:</b> This page was generated by TSDR on 2016-04-21 18:15:55 EDT				
<b>Mark:</b> VA VA FROOME				
<h1>VA VA FROOME</h1>				
<b>US Serial Number:</b>		86287844	<b>Application Filing Date:</b> May 21, 2014	
<b>US Registration Number:</b>		4861822	<b>Registration Date:</b> Dec. 01, 2015	
<b>Register:</b>		Principal		
<b>Mark Type:</b>		Trademark, Service Mark		
<b>Status:</b>		Registered. The registration date is used to determine when post-registration maintenance documents are due.		
<b>Status Date:</b>		Dec. 01, 2015		
<b>Publication Date:</b>		Feb. 10, 2015		
<b>▼ Mark Information</b> <span style="float: right;"><a href="#">▲ Collapse All</a></span>				
<b>Mark Literal Elements:</b>		VA VA FROOME		
<b>Standard Character Claim:</b>		Yes. The mark consists of standard characters without claim to any particular font style, size, or color.		
<b>Mark Drawing Type:</b>		4 - STANDARD CHARACTER MARK		
<b>▼ Foreign Information</b>				
<b>Foreign Registration Number:</b>		012345534	<b>Foreign Registration Date:</b> May 25, 2014	
		EUROPEAN (EU) OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (OHIM)	<b>Foreign Expiration Date:</b> Nov. 26, 2023	

<b>Foreign Application/Registration Country:</b>	
<b>▼ Goods and Services</b>	
<b>Note:</b> The following symbols indicate that the registrant/owner has amended the goods/services: <ul style="list-style-type: none"> <li>• Brackets [...] indicate deleted goods/services;</li> <li>• Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and</li> <li>• Asterisks *...* identify additional (new) wording in the goods/services.</li> </ul>	
<b>For:</b>	Pharmaceutical preparations for the treatment of muscle-ache and sports related injuries; cleaners, namely, antibacterial cleaners; medications for treatment of wounds and skin lesions; medical plasters and bandages for skin wounds; dietetic foods, namely, meal replacement bars, energy bars, and glucose gels, all adapted for medical use; treatments and remedies, namely, preparations for treatment of muscle-ache, sports related injuries, and skin wounds; dietary and nutritional supplements and dietary supplemental drinks; medicated gels, creams and solutions for dermatological use
<b>International Class(es):</b>	005 - Primary Class
<b>U.S Class(es):</b>	006, 018, 044, 046, 051, 052
<b>Class Status:</b>	ACTIVE
<b>Basis:</b>	44(e)
<b>For:</b>	Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking in the nature of supervision, life-saving and teaching apparatus and instruments, namely, speed indicators, camcorders, cameras, speed measuring apparatus; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers and blank recordable optical recording discs; cash registers, calculating machines and data processing equipment and computers; fire-extinguishing apparatus; protective insulated clothing, footwear and headgear for protection against accident or injury; spectacle cases, frames and glasses; sunglasses; eyewear cases; parts and fittings for all the aforesaid goods, namely, eyeglass chains and pince-nez chains, eyeglass cords and pince-nez cords, anti-glare lenses, 3D lenses, structural replacement parts; computer software for database management, word processing, accessing social media services, online exchange of data, all for fitness and training programs
<b>International Class(es):</b>	009 - Primary Class
<b>U.S Class(es):</b>	021, 023, 026, 036, 038
<b>Class Status:</b>	ACTIVE
<b>Basis:</b>	44(e)
<b>For:</b>	Bicycles; pedal land vehicles, scooters, electric and electrically assisted bicycles, bicycle carriers for vehicles; air pumps being fitted for bicycles for the inflation of tires; shaped bicycle seat covers made of textile materials; bicycle water bottle cages, water bottle cages for land vehicles, anti-glare sun strips specifically fitted for vehicle windscreens; fittings for bicycles for carrying luggage; luggage carriers for bicycles; baskets and bags adapted for use on bicycles; bags and pouches adapted for use with on bicycles; bicycle wedge bags; bicycle frame bags; wire and wicker bicycle baskets adapted for use on bicycles; panniers adapted for use on bicycles; liners and linings fitted for baskets adapted for use on bicycles; parts and fittings for all the aforesaid goods, namely, structural replacement parts
<b>International Class(es):</b>	012 - Primary Class
<b>U.S Class(es):</b>	019, 021, 023, 031, 035, 044



<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Printed matter, namely, books, magazine, manuals, and newsletters in the field of sports, cycling and exercise; photographs; stationery; printed instructional and teaching material in the field of sports, cycling and exercise; publications, namely, books and magazines in the field of sports, cycling and exercise; calendars; catalogs in the field of sports, cycling and exercise		
<b>International Class(es):</b>	016 - Primary Class	<b>U.S Class(es):</b>	002, 005, 022, 023, 029, 037, 038, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Clothing for sporting, leisure, cyclists, women, men, and children, namely, bandanas, bathing suits, bathing trunks, swimwear for bicyclists, belts, gloves, jackets, jerseys, t-shirts, shirts, sweaters, knitted sweaters, knitted hats, knitted scarves, tracksuits, training tights, sports bras, leggings, trousers, shorts, scarves, pullovers, sports jerseys, sweat absorbent underclothing, vests, waterproof jackets, waterproof shirts, waterproof pants, waterproof footwear, and wristbands; bicycling gloves; sweat bands; footwear; socks; sports footwear; plimsolls; training shoes; headgear, namely, cap peaks, caps, headbands, hoods, and sun visors		
<b>International Class(es):</b>	025 - Primary Class	<b>U.S Class(es):</b>	022, 039
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Toys, games and playthings, namely, children's toys, board games, children's toy bicycles, model vehicles, model bicycles, roller skates, in-line skates, toy scooters, scale model kits, scale model vehicles, stuffed toys, teddy bears, pedal-propelled wheeled toys; sporting articles and apparatus, namely, shin guards, elbow guards, stationery exercise bicycles, and machines for physical exercises; children's cycles and scooters, toy bicycles and toy scooters other than for transport; devices for converting bicycles to static stationary exercise bicycles; roller skates and skate boards; sledges for use in down-hill amusement rides; parts and fittings for all the aforesaid goods, namely, structural replacement parts		
<b>International Class(es):</b>	028 - Primary Class	<b>U.S Class(es):</b>	022, 023, 038, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Mineral and aerated waters and other non-alcoholic beverages, namely, lemonades, smoothies and vegetable juices; energy drinks; fruit drinks and fruit juices; syrups for making beverages; powders for making soft drinks		
<b>International Class(es):</b>	032 - Primary Class	<b>U.S Class(es):</b>	045, 046, 048
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>			

Educational services, namely, classes, seminars, workshops in the field of cycling instruction; providing of training in the field of professional cycling; entertainment services, namely, organizing, arranging, and conducting cycling events; organizing community sporting and cultural events; organization of sports competitions; organizing, arranging and conducting sports cycling events	
<b>International Class(es):</b>	041 - Primary Class
<b>U.S Class(es):</b>	100, 101, 107
<b>Class Status:</b>	ACTIVE
<b>Basis:</b>	44(e)

### ▼ Basis Information (Case Level)

<b>Filed Use:</b>	No	<b>Currently Use:</b>	No	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	Yes	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	Yes	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	Yes	<b>Amended 44E:</b>	Yes
<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

### ▼ Current Owner(s) Information

<b>Owner Name:</b>	Christopher Clive Froome				
<b>Owner Address:</b>	4 Avenue des Guelfes Memmo Center B50 MC MONACO 98000				
<b>Legal Entity Type:</b>	INDIVIDUAL	<b>Citizenship:</b>	MONACO		

### ▼ Attorney/Correspondence Information

Attorney of Record				
Attorney Name:		Timothy D. Pecsénye	Docket Number:	142508-00104
Attorney Primary Email Address:		<a href="mailto:pecsenye@blankrome.com">pecsenye@blankrome.com</a>	Attorney Email Authorized:	Yes
Correspondent				
Correspondent Name/Address:		TIMOTHY D. PECSENYE BLANK ROME LLP 1 LOGAN SQ FL 8 PHILADELPHIA, PENNSYLVANIA UNITED STATES 19103-6998		

<b>Phone:</b> 215-569-5619	<b>Fax:</b> 215-832-5619
<b>Correspondent e-mail:</b> <a href="mailto:pecsenye@blankrome.com">pecsenye@blankrome.com</a>	<b>Correspondent e-mail Authorized:</b> Yes

**Domestic Representative - Not Found**

### ▼ Prosecution History

Date	Description	Proceeding Number
Dec. 01, 2015	REGISTERED-PRINCIPAL REGISTER	
Oct. 21, 2015	1(B) BASIS DELETED; PROCEED TO REGISTRATION	65362
Oct. 05, 2015	NOTICE OF ALLOWANCE CANCELLED	65362
Oct. 09, 2015	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Oct. 05, 2015	TEAS DELETE 1(B) BASIS RECEIVED	
Apr. 07, 2015	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 10, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 10, 2015	PUBLISHED FOR OPPOSITION	
Jan. 21, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 03, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Dec. 31, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 30, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	70884
Dec. 30, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Dec. 30, 2014	ASSIGNED TO LIE	70884
Dec. 16, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 20, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2014	NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2014	NON-FINAL ACTION WRITTEN	91172
Jun. 09, 2014	ASSIGNED TO EXAMINER	91172
Jun. 04, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 24, 2014	NEW APPLICATION ENTERED IN TRAM	

**▼ TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Dec. 01, 2015**▼ Assignment Abstract Of Title Information - Click to Load****▼ Proceedings - Click to Load**

# EXHIBIT I



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#) | [PREV LIST](#) | [CURR LIST](#)  
[NEXT LIST](#) | [FIRST DOC](#) | [PREV DOC](#) | [NEXT DOC](#) | [LAST DOC](#)

Logout

Please logout when you are done to release system resources allocated for you.

Start

List At:

OR

Jump

to record:

**Record 42 out of 109**

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

# LIVE LAUGH LOVE

## Word Mark LIVE LAUGH LOVE

### Goods and Services

IC 035. US 100 101 102. G & S: Wholesale and retail store services and on-line retail and wholesale store services featuring Fingerpaint, paints; Candles, scented candles; Medicated lip balm, car deodorizer, medicated cosmetics, medicated sun care preparations; Metal boxes, metal chains, metal pet tags, metal key chains, Key fobs of common metal; Cooking spoons, gardening tools, namely, trowels, weeding forks, spades, hoes, Knives, forks and spoons, manicure sets, nail clippers, nail files, razors and razor blades, scissors, tweezers; Cameras, cell phone covers, cell phone faceplates, decorative charms for cellular telephones, decorative magnets, ear buds, eye glass cases, eye glass chains, eyewear, mousepads, protective clothing and headgear, sunglasses and spectacles; Bracelets, charms being personal jewelry, clocks, costume jewelry, jewelry, jewelry boxes, key chains as jewelry trinkets and fobs, jewelry necklaces, pendants, pet jewelry, jewelry rings, watches; All purpose sport bags, baby carrying bags, backpacks, book bags, sports bags, bum bags, wallets and handbags, beach bags, carrying cases, carry-all bags, collars for pets, daypacks, diaper bags, fashion handbags, handbags, leather and imitation leather bags, leather bags and wallets, leather key chains, leather purses, leather thongs, pet clothing, pet collar accessories, namely, bows and charms, pet hair ornaments, pocketbooks, pouches made out of cloth, pouches of leather, purse charms, purses and wallets, satchels, school bags, tote bags, umbrellas; Cast stone garden and household ornaments; figurines of stone, concrete or marble; non-luminous, non-mechanical signs not of metal; statuettes of stone, concrete or marble; wall plaques made of stone, concrete or marble; works of art of stone, concrete or marble. beds for household pets, chair cushions, decorative boxes made of wood, decorative wooden wall letters for spelling names and words, figures of bone, ivory, plaster, plastic, wax, wood, or closed cell resin polymer material, furniture, leather picture frames, non-metal dog tags, non-metal key rings, non-metal novelty license plates, non-metal pet tags, ornaments of plaster, plastic, wood and sea shells, picture and photograph frames, pillows, plastic boxes, plastic key chains, plastic key tags, plastic sculptures, polymer clay figurines, polyresin tablets which look like stone, and have quotations, sayings, and bible verses engraved on them, packaged with display stand, shadow boxes, sink liners, sink mats,

Statuettes of bone, ivory, plaster, plastic, wax, or wood, three dimensional plastic appliques for attachment to cars, windows, mirrors, and other solid surfaces, three dimensional plastic ornaments, toy boxes and chests, vinyl appliques for attachment to windows, mirrors, and other solid surfaces, vinyl banners, wall fixtures, namely, plastic three-dimensional designs to be attached to the walls of bathrooms, wall plaques made of plastic or wood, wall plaques made of bone, ivory, plaster, plastic, wax, or wood, wood boxes, wood carvings, works of art of wood, wax, plaster or plastic, 3D ornaments made from plastic, 3D plastic appliques for attachment to cars, windows, mirrors, and other solid surfaces, 3D plastic ornaments for attachment to cars, walls, windows, mirrors and other solid surfaces. Bakeware other than toys, baskets for domestic use, not of metal, bath brushes, bottle openers, bowls, bread bins, buckets, candle holders, cheese board and knife set, coffee cups, tea cups and mugs, cookie sheets, cookware, namely, pots and pans, cosmetic brushes, decorative plates, dishware, drinking glasses, eyebrow brushes, facial sponges for applying make-up, figures of china, crystal, earthenware, terra cotta, glass, or porcelain, flower vases and bowls, foam drink holders, gardening gloves, glass boxes, glass jars, hair brushes, napkin holders, paper and plastic cups, perfume atomizers, sold empty, pet brushes, pet feeding and drinking bowls, plaques of china, crystal, earthenware, glass, porcelain, or terra cotta, plastic cups, plastic plates, scoops, scrub sponges, sculptures of china, crystal, earthenware, terra cotta, glass, or porcelain, serving spoons, soap dispensers, sponges for household purposes, sponges used for applying makeup, statuettes of china, crystal, earthenware, glass, terra cotta, or porcelain, sugar bowls, sun catchers, terra cotta figurines, tooth brushes, trash cans, vaporizers for perfume sold empty, vases, wall plaques made of china crystal, earthenware, glass, porcelain, or terra cotta, waste baskets, whisks, wine openers, wood chopping boards for kitchen use, works of art made of glass, works of art made of porcelain, works of art of china, crystal, earthenware, glass, porcelain, or terra cotta; thread, yarn; Bedsheets, bedspreads, cloth flags, curtains, dish cloths, face cloths, pillow cases, place mats, not of paper, shower curtains, table cloths not of paper, throws, towels. Artificial flowers, artificial wreaths, barrettes, bobby pins, bows for gift wrapping, decorative ribbons, fabric appliques, fabric covers for kitchen appliances, hair clips, hair bands, hair ornaments, novelty buttons, patches for clothing made of rubber, plastic and vinyl, ribbons and braids; Bath mats; beach mats; door mats; rugs; wallcoverings; Balloons, bath toys, beach balls, children's play cosmetics, Christmas stockings, Christmas tree decorations other than confectionery or illumination articles, Christmas tree ornaments other than confectionery or illumination articles, Christmas tree skirts, crib toys, dolls and accessories therefor, infant toys, personal exercise mats, pet toys, plush toys, stuffed dolls and animals, stuffed toys; Blended oil for food, candied fruit, canned or bottled fruits, canned or bottled vegetables, cheese and cracker combinations, dehydrated fruit snacks, edible oils and fats, preserves, pickles, flavored nuts, frozen fruits, frozen vegetables, fruit chips, fruit preserves, fruit-based snack food, jellies and jams, roasted nuts, salad oil; Bakery products, candy, cereal based snack food, chewing gum, chocolate candies, coffee, cookies, cookies and crackers, gift baskets containing candy, grain-based snack foods, pretzels, salad dressings, spices, wine vinegar; Bird seed, cut flowers, dried flower wreaths, edible chews for animals, natural flowers, fresh fruit and vegetables, kitty litter, live cut foliage, live plants, pet food, wreaths of natural flowers; Drinking water, energy drinks, fruit drinks, mineral and carbonated waters, soft drinks, vegetable drinks; Cooking wine, wine making kits, wine; Lighters for smokers. FIRST USE: 19991112. FIRST USE IN COMMERCE: 19991112

**Standard  
Characters  
Claimed**

**Mark  
Drawing  
Code**

(4) STANDARD CHARACTER MARK

**Serial  
Number**

85127155

**Filing Date**

September 10, 2010

**Current  
Basis**

1A

**Original  
Filing Basis**

1A

**Published for  
Opposition**

March 8, 2011

3965302

**Registration  
Number****Registration  
Date**

May 24, 2011

**Owner**(REGISTRANT) D-Generation, Inc. CORPORATION FLORIDA P. O. Box 30 Daytona Beach  
FLORIDA 32115**Prior  
Registrations**

3495341;3498959;3498963;AND OTHERS

**Type of Mark** SERVICE MARK**Register** PRINCIPAL**Live/Dead  
Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[PREV LIST](#)[CURR LIST](#)[NEXT LIST](#)[FIRST DOC](#)[PREV DOC](#)[NEXT DOC](#)[LAST DOC](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS

DOCUMENTS

MAINTENANCE

[Back to Search](#)

Print

**Generated on:** This page was generated by TSDR on 2016-04-21 18:17:00 EDT**Mark:** LIVE LAUGH LOVE

LIVE LAUGH LOVE

**US Serial Number:** 85127155**Application Filing Date:** Sep. 10, 2010**US Registration Number:** 3965302**Registration Date:** May 24, 2011**Filed as TEAS Plus:** Yes**Currently TEAS Plus:** Yes**Register:** Principal**Mark Type:** Service Mark**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.**Status Date:** May 24, 2011**Publication Date:** Mar. 08, 2011▼ **Mark Information**▲ **Collapse All****Mark Literal Elements:** LIVE LAUGH LOVE**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

## ▼ Related Properties Information

Claimed Ownership of US [3495341](#), [3498959](#), [3498963](#) and others  
Registrations:

## ▼ Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Wholesale and retail store services and on-line retail and wholesale store services featuring Fingerpaint, paints; Candles, scented candles; Medicated lip balm, car deodorizer, medicated cosmetics, medicated sun care preparations; Metal boxes, metal chains, metal pet tags, metal key chains, Key fobs of common metal; Cooking spoons, gardening tools, namely, trowels, weeding forks, spades, hoes, Knives, forks and spoons, manicure sets, nail clippers, nail files, razors and razor blades, scissors, tweezers; Cameras, cell phone covers, cell phone faceplates, decorative charms for cellular telephones, decorative magnets, ear buds, eye glass cases, eye glass chains, eyewear, mousepads, protective clothing and headgear, sunglasses and spectacles; Bracelets, charms being personal jewelry, clocks, costume jewelry, jewelry, jewelry boxes, key chains as jewelry trinkets and fobs, jewelry necklaces, pendants, pet jewelry, jewelry rings, watches; All purpose sport bags, baby carrying bags, backpacks, book bags, sports bags, bum bags, wallets and handbags, beach bags, carrying cases, carry-all bags, collars for pets, daypacks, diaper bags, fashion handbags, handbags, leather and imitation leather bags, leather bags and wallets, leather key chains, leather purses, leather thongs, pet clothing, pet collar accessories, namely, bows and charms, pet hair ornaments, pocketbooks, pouches made out of cloth, pouches of leather, purse charms, purses and wallets, satchels, school bags, tote bags, umbrellas; Cast stone garden and household ornaments; figurines of stone, concrete or marble; non-luminous, non-mechanical signs not of metal; statuettes of stone, concrete or marble; wall plaques made of stone, concrete or marble; works of art of stone, concrete or marble; beds for household pets, chair cushions, decorative boxes made of wood, decorative wooden wall letters for spelling names and words, figures of bone, ivory, plaster, plastic, wax, wood, or closed cell resin polymer material, furniture, leather picture frames, non-metal dog tags, non-metal key rings, non-metal novelty license plates, non-metal pet tags, ornaments of plaster, plastic, wood and sea shells, picture and photograph frames, pillows, plastic boxes, plastic key chains, plastic key tags, plastic sculptures, polymer clay figurines, polyresin tablets which look like stone, and have quotations, sayings, and bible verses engraved on them, packaged with display stand, shadow boxes, sink liners, sink mats, Statuettes of bone, ivory, plaster, plastic, wax, or wood, three dimensional plastic appliqués for attachment to cars, windows, mirrors, and other solid surfaces, three dimensional plastic ornaments, toy boxes and chests, vinyl appliques for attachment to windows, mirrors, and other solid surfaces, vinyl banners, wall fixtures, namely, plastic three-dimensional designs to be attached to the walls of bathrooms, wall plaques made of plastic or wood, wall plaques made of bone, ivory, plaster, plastic, wax, or wood, wood boxes, wood carvings, works of art of wood, wax, plaster or plastic, 3D ornaments made from plastic, 3D plastic appliqués for attachment to cars, windows, mirrors, and other solid surfaces, 3D plastic ornaments for attachment to cars, walls, windows, mirrors and other solid surfaces; Bakeware other than toys, baskets for domestic use, not of metal, bath brushes, bottle openers, bowls, bread bins, buckets, candle holders, cheese board and knife set, coffee cups, tea cups and mugs, cookie sheets, cookware, namely, pots and pans, cosmetic brushes, decorative plates, dishware, drinking glasses, eyebrow brushes, facial sponges for applying make-up, figures of china, crystal, earthenware, terra cotta, glass, or porcelain, flower vases and bowls, foam drink holders, gardening gloves, glass boxes, glass jars, hair

	brushes, napkin holders, paper and plastic cups, perfume atomizers, sold empty, pet brushes, pet feeding and drinking bowls, plaques of china, crystal, earthenware, glass, porcelain, or terra cotta, plastic cups, plastic plates, scoops, scrub sponges, sculptures of china, crystal, earthenware, terra cotta, glass, or porcelain, serving spoons, soap dispensers, sponges for household purposes, sponges used for applying makeup, statuettes of china, crystal, earthenware, glass, terra cotta, or porcelain, sugar bowls, sun catchers, terra cotta figurines, tooth brushes, trash cans, vaporizers for perfume sold empty, vases, wall plaques made of china crystal, earthenware, glass, porcelain, or terra cotta, waste baskets, whisks, wine openers, wood chopping boards for kitchen use, works of art made of glass, works of art made of porcelain, works of art of china, crystal, earthenware, glass, porcelain, or terra cotta; thread, yarn; Bedsheets, bedspreads, cloth flags, curtains, dish cloths, face cloths, pillow cases, place mats, not of paper, shower curtains, table cloths not of paper, throws, towels; Artificial flowers, artificial wreaths, barrettes, bobby pins, bows for gift wrapping, decorative ribbons, fabric appliques, fabric covers for kitchen appliances, hair clips, hair bands, hair ornaments, novelty buttons, patches for clothing made of rubber, plastic and vinyl, ribbons and braids; Bath mats; beach mats; door mats; rugs; wallcoverings; Balloons, bath toys, beach balls, children's play cosmetics, Christmas stockings, Christmas tree decorations other than confectionery or illumination articles, Christmas tree ornaments other than confectionery or illumination articles, Christmas tree skirts, crib toys, dolls and accessories therefor, infant toys, personal exercise mats, pet toys, plush toys, stuffed dolls and animals, stuffed toys; Blended oil for food, candied fruit, canned or bottled fruits, canned or bottled vegetables, cheese and cracker combinations, dehydrated fruit snacks, edible oils and fats, preserves, pickles, flavored nuts, frozen fruits, frozen vegetables, fruit chips, fruit preserves, fruit-based snack food, jellies and jams, roasted nuts, salad oil; Bakery products, candy, cereal based snack food, chewing gum, chocolate candies, coffee, cookies, cookies and crackers, gift baskets containing candy, grain-based snack foods, pretzels, salad dressings, spices, wine vinegar; Bird seed, cut flowers, dried flower wreaths, edible chews for animals, natural flowers, fresh fruit and vegetables, kitty litter, live cut foliage, live plants, pet food, wreaths of natural flowers; Drinking water, energy drinks, fruit drinks, mineral and carbonated waters, soft drinks, vegetable drinks; Cooking wine, wine making kits, wine; Lighters for smokers		
<b>International Class(es):</b>	035 - Primary Class	<b>U.S Class(es):</b>	100, 101, 102
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	1(a)		
<b>First Use:</b>	Nov. 12, 1999	<b>Use in Commerce:</b>	Nov. 12, 1999

### ▼ Basis Information (Case Level)

<b>Filed Use:</b>	Yes	<b>Currently Use:</b>	Yes	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

**▼ Current Owner(s) Information****Owner Name:** D-Generation, Inc.**Owner Address:** P. O. Box 30  
Daytona Beach, FLORIDA UNITED STATES 32115**Legal Entity Type:** CORPORATION**State or Country Where  
Organized:** FLORIDA**▼ Attorney/Correspondence Information****Attorney of Record - None****Correspondent****Correspondent Name/Address:** D-GENERATION, INC.  
PO BOX 30  
DAYTONA BEACH, FLORIDA UNITED STATES 32115**Phone:** 386-677-6864**Correspondent e-mail:** [martin@boire.name](mailto:martin@boire.name)**Correspondent e-mail  
Authorized:** No**Domestic Representative - Not Found****▼ Prosecution History**

Date	Description	Proceeding Number
May 24, 2011	REGISTERED-PRINCIPAL REGISTER	
Mar. 08, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 08, 2011	PUBLISHED FOR OPPOSITION	
Feb. 01, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Feb. 01, 2011	ASSIGNED TO LIE	76568
Jan. 03, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 17, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 17, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889

Dec. 17, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 01, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 01, 2010	NON-FINAL ACTION E-MAILED	6325
Dec. 01, 2010	NON-FINAL ACTION WRITTEN	73372
Nov. 29, 2010	ASSIGNED TO EXAMINER	73372
Sep. 15, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 14, 2010	NEW APPLICATION ENTERED IN TRAM	
<b>▼ TM Staff and Location Information</b>		
<b>TM Staff Information - None</b>		
<b>File Location</b>		
<b>Current Location:</b>	PUBLICATION AND ISSUE SECTION	<b>Date in Location:</b> May 24, 2011
<b>▼ Assignment Abstract Of Title Information - Click to Load</b>		
<b>▼ Proceedings - Click to Load</b>		

# EXHIBIT J



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) ( Use the "Back" button of the Internet Browser to return to TESS)

# GET SET TO JET SET

### Word Mark GET SET TO JET SET

**Goods and Services** IC 035. US 100 101 102. G & S: Automated kiosk retail store services featuring headphones, hands-free mobile communications devices, electric fitness devices, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, candles, beverage containers, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 04/24/2011); retail store services featuring headphones, hands-free mobile communications devices, electric fitness devices, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, guidebooks, candles, beverage containers, energy drinks, tea, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, lighters, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 07/01/2011); on-line retail store services featuring headphones, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, candles, beverage containers, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 11/08/2011). FIRST USE: 20110424. FIRST USE IN COMMERCE: 20110424

### Standard Characters Claimed

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 85467684

**Filing Date** November 8, 2011

**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** April 24, 2012  
**Registration Number** 4256347  
**Registration Date** December 11, 2012  
**Owner** (REGISTRANT) Utique, Inc. CORPORATION DELAWARE 456 Geary Street San Francisco CALIFORNIA 94102  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

---

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)

---

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS	DOCUMENTS	MAINTENANCE	<a href="#">Back to Search</a>	Print
<b>Generated on:</b> This page was generated by TSDR on 2016-04-21 18:17:49 EDT				
<b>Mark:</b> GET SET TO JET SET				
GET SET TO JET SET				
<b>US Serial Number:</b> 85467684		<b>Application Filing Date:</b> Nov. 08, 2011		
<b>US Registration Number:</b> 4256347		<b>Registration Date:</b> Dec. 11, 2012		
<b>Register:</b> Principal				
<b>Mark Type:</b> Service Mark				
<b>Status:</b> Registered. The registration date is used to determine when post-registration maintenance documents are due.				
<b>Status Date:</b> Dec. 11, 2012				
<b>Publication Date:</b> Apr. 24, 2012				
<b>▼ Mark Information</b> <span style="float: right;"><a href="#">▲ Collapse All</a></span>				
<b>Mark Literal Elements:</b> GET SET TO JET SET				
<b>Standard Character Claim:</b> Yes. The mark consists of standard characters without claim to any particular font style, size, or color.				
<b>Mark Drawing Type:</b> 4 - STANDARD CHARACTER MARK				
<b>▼ Goods and Services</b>				
<b>Note:</b> The following symbols indicate that the registrant/owner has amended the goods/services: <ul style="list-style-type: none"> <li>• Brackets [...] indicate deleted goods/services;</li> <li>• Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and</li> <li>• Asterisks *..* identify additional (new) wording in the goods/services.</li> </ul>				

<b>For:</b>	Automated kiosk retail store services featuring headphones, hands-free mobile communications devices, electric fitness devices, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, candles, beverage containers, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 04/24/2011); retail store services featuring headphones, hands-free mobile communications devices, electric fitness devices, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, guidebooks, candles, beverage containers, energy drinks, tea, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, lighters, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 07/01/2011); on-line retail store services featuring headphones, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, candles, beverage containers, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 11/08/2011)		
<b>International Class(es):</b>	035 - Primary Class	<b>U.S Class(es):</b>	100, 101, 102
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	1(a)		
<b>First Use:</b>	Apr. 24, 2011	<b>Use in Commerce:</b>	Apr. 24, 2011

### ▼ Basis Information (Case Level)

<b>Filed Use:</b>	Yes	<b>Currently Use:</b>	Yes	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

### ▼ Current Owner(s) Information

<b>Owner Name:</b>	Utique, Inc.		
<b>Owner Address:</b>	456 Geary Street San Francisco, CALIFORNIA UNITED STATES 94102		
<b>Legal Entity Type:</b>	CORPORATION	<b>State or Country Where Organized:</b>	DELAWARE

## ▼ Attorney/Correspondence Information

### Attorney of Record - None

#### Correspondent

**Correspondent Name/Address:** Mara Segal  
Utique, Inc.  
456 Geary Street  
San Francisco, CALIFORNIA UNITED STATES 94102

**Phone:** 415-762-2245

**Fax:** 415-358-8391

**Correspondent e-mail:** [mara@utiqueshop.com](mailto:mara@utiqueshop.com)

**Correspondent e-mail** Yes

**Authorized:**

### Domestic Representative - Not Found

## ▼ Prosecution History

Date	Description	Proceeding Number
Apr. 17, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 17, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 11, 2012	REGISTERED-PRINCIPAL REGISTER	
Nov. 06, 2012	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
May 24, 2012	EXTENSION OF TIME TO OPPOSE RECEIVED	
Apr. 24, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 24, 2012	PUBLISHED FOR OPPOSITION	
Apr. 04, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 20, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Mar. 19, 2012	ASSIGNED TO LIE	73296
Mar. 01, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 29, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 29, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 29, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 29, 2012	EXAMINERS AMENDMENT -WRITTEN	76626

Feb. 24, 2012	ASSIGNED TO EXAMINER	76626
Nov. 15, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 11, 2011	NEW APPLICATION ENTERED IN TRAM	
▼ <b>TM Staff and Location Information</b>		
<b>TM Staff Information - None</b>		
<b>File Location</b>		
Current Location: PUBLICATION AND ISSUE SECTION		Date in Location: Dec. 11, 2012
▼ <b>Assignment Abstract Of Title Information - Click to Load</b>		
▼ <b>Proceedings - Click to Load</b>		

# EXHIBIT K



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

Logout

Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

## BECAUSE TIME IS A LUXURY

**Word Mark** **BECAUSE TIME IS A LUXURY**

**Goods and Services**

IC 035. US 100 101 102. G & S: Automated kiosk retail store services featuring headphones, hands-free mobile communications devices, electric fitness devices, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, candles, beverage containers, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 12/15/2010); retail store services featuring headphones, hands-free mobile communications devices, electric fitness devices, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, guidebooks, candles, beverage containers, energy drinks, tea, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, lighters, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 07/01/2011); on-line retail store services featuring headphones, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, candles, beverage containers, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 11/08/2011). FIRST USE: 20101215. FIRST USE IN COMMERCE: 20101215

**Standard Characters Claimed**

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Serial Number**

85467688

**Filing Date**

November 8, 2011

**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** April 24, 2012  
**Registration Number** 4171113  
**Registration Date** July 10, 2012  
**Owner** (REGISTRANT) Utique, Inc. CORPORATION DELAWARE 456 Geary Street San Francisco CALIFORNIA 94102  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

---

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)

---

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS

DOCUMENTS

MAINTENANCE

[Back to Search](#)

Print

**Generated on:** This page was generated by TSDR on 2016-04-21 18:18:40 EDT**Mark:** BECAUSE TIME IS A LUXURY

BECAUSE TIME IS A LUXURY

**US Serial Number:** 85467688**Application Filing Date:** Nov. 08, 2011**US Registration Number:** 4171113**Registration Date:** Jul. 10, 2012**Register:** Principal**Mark Type:** Service Mark**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.**Status Date:** Jul. 10, 2012**Publication Date:** Apr. 24, 2012

## ▼ Mark Information

▲ Collapse All

**Mark Literal Elements:** BECAUSE TIME IS A LUXURY**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

## ▼ Goods and Services



**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Automated kiosk retail store services featuring headphones, hands-free mobile communications devices, electric fitness devices, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, candles, beverage containers, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 12/15/2010); retail store services featuring headphones, hands-free mobile communications devices, electric fitness devices, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, guidebooks, candles, beverage containers, energy drinks, tea, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, lighters, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 07/01/2011); on-line retail store services featuring headphones, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, candles, beverage containers, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards (first use in commerce at least as early as 11/08/2011)

<b>International Class(es):</b>	035 - Primary Class	<b>U.S Class(es):</b>	100, 101, 102
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	1(a)		
<b>First Use:</b>	Dec. 15, 2010	<b>Use in Commerce:</b>	Dec. 15, 2010

▼ **Basis Information (Case Level)**

<b>Filed Use:</b>	Yes	<b>Currently Use:</b>	Yes	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

**▼ Current Owner(s) Information****Owner Name:** Utique, Inc.**Owner Address:** 456 Geary Street  
San Francisco, CALIFORNIA UNITED STATES 94102**Legal Entity Type:** CORPORATION**State or Country Where  
Organized:** DELAWARE**▼ Attorney/Correspondence Information****Attorney of Record - None****Correspondent****Correspondent Name/Address:** Mara Segal  
Utique, Inc.  
456 Geary Street  
San Francisco, CALIFORNIA UNITED STATES 94102**Phone:** 415-762-2245**Fax:** 415-358-8391**Correspondent e-mail:** [mara@utiqueshop.com](mailto:mara@utiqueshop.com)**Correspondent e-mail  
Authorized:** Yes**Domestic Representative - Not Found****▼ Prosecution History**

Date	Description	Proceeding Number
Apr. 17, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 17, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 10, 2012	REGISTERED-PRINCIPAL REGISTER	
Apr. 24, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 24, 2012	PUBLISHED FOR OPPOSITION	
Apr. 04, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	

Mar. 20, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Mar. 19, 2012	ASSIGNED TO LIE	73296
Mar. 01, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 29, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 29, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 29, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 29, 2012	EXAMINERS AMENDMENT -WRITTEN	76626
Feb. 24, 2012	ASSIGNED TO EXAMINER	76626
Nov. 15, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 11, 2011	NEW APPLICATION ENTERED IN TRAM	

#### ▼ **TM Staff and Location Information**

##### **TM Staff Information - None**

##### **File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Jul. 10, 2012

#### ▼ **Assignment Abstract Of Title Information - Click to Load**

#### ▼ **Proceedings - Click to Load**

# EXHIBIT L



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) ( Use the "Back" button of the Internet Browser to return to TESS)



<b>Word Mark</b>	U TIQUE SHOP
<b>Goods and Services</b>	IC 035. US 100 101 102. G & S: On-line retail store services and featuring headphones, hands-free mobile communications devices, electronic fitness devices, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, guidebooks, candles, beverage containers, energy drinks, tea, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, guide books, lighters, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards. FIRST USE: 20111107. FIRST USE IN COMMERCE: 20111107
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	26.07.01 - Diamonds with plain multiple line border; Diamonds with plain single line border
<b>Serial Number</b>	85379081
<b>Filing Date</b>	July 22, 2011
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	February 21, 2012
<b>Registration Number</b>	4180739
<b>International Registration Number</b>	1114011
<b>Registration Date</b>	July 24, 2012

**Owner** (REGISTRANT) Utique, Inc. CORPORATION DELAWARE 456 Geary Street San Francisco CALIFORNIA 94102

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SHOP" APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of lower case letter "u" in bold followed by superscript diamond design, and lower case "tique" in bold and word "SHOP" below the "ue".

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE


---

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)

---

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml). Questions may be directed to [the TSDR Mailbox](#).

STATUS	DOCUMENTS	MAINTENANCE	<a href="#">Back to Search</a>	Print
<b>Generated on:</b> This page was generated by TSDR on 2016-04-21 18:20:08 EDT				
<b>Mark:</b> U TIQUE SHOP				
				
<b>US Serial Number:</b>	85379081	<b>Application Filing Date:</b>	Jul. 22, 2011	
<b>US Registration Number:</b>	4180739	<b>Registration Date:</b>	Jul. 24, 2012	
<b>Register:</b>	Principal			
<b>Mark Type:</b>	Service Mark			
<b>Status:</b>	Registered. The registration date is used to determine when post-registration maintenance documents are due.			
<b>Status Date:</b>	Jul. 24, 2012			
<b>Publication Date:</b>	Feb. 21, 2012	<b>Notice of Allowance Date:</b>	Apr. 17, 2012	
<b>▼ Mark Information</b> <span style="float: right;">▲ Collapse All</span>				
<b>Mark Literal Elements:</b>	U TIQUE SHOP			
<b>Standard Character Claim:</b>	No			
<b>Mark Drawing Type:</b>	3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)			
<b>Description of Mark:</b>	The mark consists of lower case letter "u" in bold followed by superscript diamond design, and lower case "tique" in bold and word "SHOP" below the "ue".			
<b>Color(s) Claimed:</b>	Color is not claimed as a feature of the mark.			
<b>Disclaimer:</b>	"SHOP"			
<b>Design Search Code(s):</b>	26.07.01 - Diamonds with plain single line border; Diamonds with plain multiple line border			

## ▼ Related Properties Information

International Registration [1114011](#)  
Number:

International Application [A0027997/1114011](#)  
(s) /Registration(s) Based on  
this Property:

## ▼ Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** On-line retail store services and featuring headphones, hands-free mobile communications devices, electronic fitness devices, audio speakers, cameras, computer storage drives, mobile power adaptors, tote bags, leather overnight bags, cases for mobile electronic devices, women's clutches, sexual aids and condoms, guidebooks, candles, beverage containers, energy drinks, tea, earrings, bracelets, necklaces, key chains, shaving kits, wallets, perfume and cologne, guide books, lighters, scarves, women's shoes, sleep masks, toothbrushes, toothpaste, toys and playing cards

**International Class(es):** 035 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Nov. 07, 2011

**Use in Commerce:** Nov. 07, 2011

## ▼ Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** Yes

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## ▼ Current Owner(s) Information



<b>Owner Name:</b>	Utique, Inc.		
<b>Owner Address:</b>	456 Geary Street San Francisco, CALIFORNIA UNITED STATES 94102		
<b>Legal Entity Type:</b>	CORPORATION	<b>State or Country Where Organized:</b>	DELAWARE

### ▼ Attorney/Correspondence Information

#### Attorney of Record - None

#### Correspondent

<b>Correspondent Name/Address:</b>	Mara Segal Utique, Inc. 456 Geary Street San Francisco, CALIFORNIA UNITED STATES 94102		
<b>Phone:</b>	415-762-2245	<b>Fax:</b>	415-358-8391
<b>Correspondent e-mail:</b>	<a href="mailto:mara@utiqueshop.com">mara@utiqueshop.com</a>	<b>Correspondent e-mail Authorized:</b>	Yes

#### Domestic Representative - Not Found

### ▼ Prosecution History

Date	Description	Proceeding Number
Apr. 17, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 17, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 24, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 19, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 18, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Jun. 13, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 21, 2012	STATEMENT OF USE PROCESSING COMPLETE	69302
Apr. 24, 2012	USE AMENDMENT FILED	69302
May 21, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Apr. 24, 2012	TEAS STATEMENT OF USE RECEIVED	
Apr. 17, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 21, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	

Feb. 21, 2012	PUBLISHED FOR OPPOSITION	
Feb. 01, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 17, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Jan. 17, 2012	CHANGES/CORRECTIONS AFTER PUB APPROVAL ENTERED	70884
Jan. 13, 2012	TEAS POST PUBLICATION AMENDMENT RECEIVED	
Jan. 13, 2012	ASSIGNED TO LIE	70884
Dec. 23, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 23, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 23, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 23, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 23, 2011	EXAMINERS AMENDMENT -WRITTEN	78329
Nov. 18, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 18, 2011	NON-FINAL ACTION E-MAILED	6325
Nov. 18, 2011	NON-FINAL ACTION WRITTEN	78329
Nov. 14, 2011	ASSIGNED TO EXAMINER	78329
Sep. 01, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 28, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Jul. 27, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 26, 2011	NEW APPLICATION ENTERED IN TRAM	

### ▼ **TM Staff and Location Information**

**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Jun. 18, 2012

### ▼ **Assignment Abstract Of Title Information - Click to Load**

### ▼ **Proceedings - Click to Load**

# EXHIBIT M



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

Logout

Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

# LESS SCHLEP. MORE SHOP.

**Word Mark** LESS SCHLEP. MORE SHOP.

**Goods and Services**

IC 035. US 100 101 102. G & S: On-line retail store services featuring fragrances, cosmetics, over-the-counter pharmaceutical preparations, vitamins, shaving cream, razors, lip balm, denture cleanser, toothpaste, toothbrushes, dental floss, mouth wash, bath accessories, bath and hand towels, paper towels, housewares, hardware items, kitchen utensils and accessories, gardening items, laundry bags, clotheslines, fabric softener, candles, candle holders, automotive care and accessories, temperature-retaining containers, coffee mugs, thermometers, brushes, combs, pesticides, surge protectors, extension cords, seasonal ornaments and trimmings, gift bows, wrapping papers, bags, cards, stationery, curtains, tablecloths, shower hooks, hangers, lint rollers, sewing accessories, shoe cleaning materials and accessories, vases, first aid kits, patches, electronics, small household appliances, hair care appliances, health care appliances, flashlights, light bulbs, night lights, lamps, fans, batteries, wall clocks, alarm clocks, wrist watches, calculators, telephones, purses, reading glasses, sun glasses, cameras, picture frames, pet foods and supplies, office supplies, prepaid phone cards, books, magazines, wall calendars, diapers, diaper wipes, baby formula and food, toys, maternity products, clothing, stockings, baby feeding accessories, bubble bath, body lotion, massage oil, hair care products, books, breastfeeding equipment and accessories, prerecorded audio and video compact discs and DVDs, mineral supplements, herbal supplements, food and nutritional supplements, ear drops, eye drops, incontinence pads, feminine products, medicated skin cream, sunscreen, insect repellent, laxatives, antibacterial and antibiotic ointments, petroleum jelly, isopropyl rubbing alcohol, cotton balls and pads, pre-moistened towelettes, hand sanitizers, hydrogen peroxide, epsom salt, gels for use as a personal lubricant, condoms, corn and bunion pads, suppositories, contact lens cleaning solutions, medicated diaper rash ointments, wart removing preparations. foot powder, pregnancy and ovulation testing kits for home use, sodas, snack food, cereal, candy, energy drinks, energy bars, pens, pencils, umbrellas, coffee, tea. FIRST USE: 20100921. FIRST USE IN COMMERCE: 20100921

**Standard Characters Claimed**

(4) STANDARD CHARACTER MARK

**Mark  
Drawing  
Code****Serial  
Number** 85127251**Filing Date** September 10, 2010**Current  
Basis** 1A**Original  
Filing Basis** 1B**Published  
for  
Opposition** February 22, 2011**Registration  
Number** 4013859**Registration  
Date** August 16, 2011**Owner** (REGISTRANT) Quidsi, Inc. CORPORATION DELAWARE 10 Exchange Place, 25th Floor Jersey City NEW JERSEY 07302**Attorney of  
Record** Dana Brown Northcott/James F. Struthers**Type of  
Mark** SERVICE MARK**Register** PRINCIPAL**Live/Dead  
Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS

DOCUMENTS

MAINTENANCE

[Back to Search](#)

Print

**Generated on:** This page was generated by TSDR on 2016-04-21 18:20:59 EDT

**Mark:** LESS SCHLEP. MORE SHOP.

LESS SCHLEP. MORE SHOP.

**US Serial Number:** 85127251

**Application Filing Date:** Sep. 10, 2010

**US Registration Number:** 4013859

**Registration Date:** Aug. 16, 2011

**Register:** Principal

**Mark Type:** Service Mark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Aug. 16, 2011

**Publication Date:** Feb. 22, 2011

**Notice of Allowance Date:** Apr. 19, 2011

## ▼ Mark Information

▲ Collapse All

**Mark Literal Elements:** LESS SCHLEP. MORE SHOP.

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

## ▼ Goods and Services

**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** On-line retail store services featuring fragrances, cosmetics, over-the-counter pharmaceutical preparations, vitamins, shaving cream, razors, lip balm, denture cleanser, toothpaste, toothbrushes, dental floss, mouth wash, bath accessories, bath and hand towels, paper towels, housewares, hardware items, kitchen utensils and accessories, gardening items, laundry bags, clotheslines, fabric softener, candles, candle holders, automotive care and accessories, temperature-retaining containers, coffee mugs, thermometers, brushes, combs, pesticides, surge protectors, extension cords, seasonal ornaments and trimmings, gift bows, wrapping papers, bags, cards, stationery, curtains, tablecloths, shower hooks, hangers, lint rollers, sewing accessories, shoe cleaning materials and accessories, vases, first aid kits, patches, electronics, small household appliances, hair care appliances, health care appliances, flashlights, light bulbs, night lights, lamps, fans, batteries, wall clocks, alarm clocks, wrist watches, calculators, telephones, purses, reading glasses, sun glasses, cameras, picture frames, pet foods and supplies, office supplies, prepaid phone cards, books, magazines, wall calendars, diapers, diaper wipes, baby formula and food, toys, maternity products, clothing, stockings, baby feeding accessories, bubble bath, body lotion, massage oil, hair care products, books, breastfeeding equipment and accessories, prerecorded audio and video compact discs and DVDs, mineral supplements, herbal supplements, food and nutritional supplements, ear drops, eye drops, incontinence pads, feminine products, medicated skin cream, sunscreen, insect repellent, laxatives, antibacterial and antibiotic ointments, petroleum jelly, isopropyl rubbing alcohol, cotton balls and pads, pre-moistened towelettes, hand sanitizers, hydrogen peroxide, epsom salt, gels for use as a personal lubricant, condoms, corn and bunion pads, suppositories, contact lens cleaning solutions, medicated diaper rash ointments, wart removing preparations, foot powder, pregnancy and ovulation testing kits for home use, sodas, snack food, cereal, candy, energy drinks, energy bars, pens, pencils, umbrellas, coffee, tea

**International Class(es):** 035 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 21, 2010

**Use in Commerce:** Sep. 21, 2010

### ▼ Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** Yes

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

Filed No Basis: No

Currently No Basis: No

▼ **Current Owner(s) Information**

Owner Name: Quidsi, Inc.

Owner Address: 10 Exchange Place, 25th Floor  
Jersey City, NEW JERSEY UNITED STATES 07302

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE▼ **Attorney/Correspondence Information****Attorney of Record**

Attorney Name: Dana Brown Northcott/James F. Struthers

Docket Number: TMK132037/QU

Attorney Primary Email  
Address: [trademarks@amazon.com](mailto:trademarks@amazon.com)

Attorney Email Authorized: Yes

**Correspondent**Correspondent Name/Address: Dana Brown Northcott/James F. Struthers  
Amazon Technologies, Inc./Richard Law Group  
P. O. Box 8102  
Reno, NEVADA UNITED STATES 89507-8102

Phone: 206 266 4064

Correspondent e-mail: [trademarks@amazon.com](mailto:trademarks@amazon.com)Correspondent e-mail  
Authorized: Yes**Domestic Representative - Not Found**▼ **Prosecution History**

Date	Description	Proceeding Number
Oct. 23, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 23, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	



Aug. 16, 2011	REGISTERED-PRINCIPAL REGISTER	
Jul. 12, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Jul. 11, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Jul. 11, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 24, 2011	STATEMENT OF USE PROCESSING COMPLETE	69302
May 20, 2011	USE AMENDMENT FILED	69302
May 24, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
May 20, 2011	TEAS STATEMENT OF USE RECEIVED	
Apr. 19, 2011	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 22, 2011	PUBLISHED FOR OPPOSITION	
Feb. 02, 2011	NOTICE OF PUBLICATION	
Jan. 14, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jan. 14, 2011	ASSIGNED TO LIE	66213
Dec. 19, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 19, 2010	ASSIGNED TO EXAMINER	69192
Sep. 15, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 14, 2010	NEW APPLICATION ENTERED IN TRAM	

#### ▼ **TM Staff and Location Information**

##### **TM Staff Information - None**

##### **File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Jul. 11, 2011

#### ▼ **Assignment Abstract Of Title Information - Click to Load**

#### ▼ **Proceedings - Click to Load**

# EXHIBIT N



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#) | [PREV LIST](#) | [CURR LIST](#)  
[NEXT LIST](#) | [FIRST DOC](#) | [PREV DOC](#) | [NEXT DOC](#) | [LAST DOC](#)

Logout

Please logout when you are done to release system resources allocated for you.

Start

List At:

OR

Jump

to record:

**Record 6 out of 8**

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

# GET STUFF. DONE.

**Word Mark** GET STUFF. DONE.

**Goods and Services**

IC 035. US 100 101 102. G & S: On-line retail store services featuring fragrances, cosmetics, over-the-counter pharmaceutical preparations, vitamins, shaving cream, razors, lip balm, denture cleanser, toothpaste, toothbrushes, dental floss, mouth wash, bath accessories, bath and hand towels, paper towels, housewares, hardware items, kitchen utensils and accessories, gardening items, laundry bags, clotheslines, fabric softener, candles, candle holders, automotive care and accessories, temperature-retaining containers, coffee mugs, thermometers, brushes, combs, pesticides, surge protectors, extension cords, seasonal ornaments and trimmings, gift bows, wrapping papers, bags, cards, stationery, curtains, tablecloths, shower hooks, hangers, lint rollers, sewing accessories, shoe cleaning materials and accessories, vases, first aid kits, patches, electronics, small household appliances, hair care appliances, health care appliances, flashlights, light bulbs, night lights, lamps, fans, batteries, wall clocks, alarm clocks, wrist watches, calculators, telephones, purses, reading glasses, sun glasses, cameras, picture frames, pet foods and supplies, office supplies, prepaid phone cards, books, magazines, wall calendars, diapers, diaper wipes, baby formula and food, toys, maternity products, clothing, stockings, baby feeding accessories, bubble bath, body lotion, massage oil, hair care products, books, breastfeeding equipment and accessories, prerecorded audio and video compact discs and DVDs, mineral supplements, herbal supplements, food and nutritional supplements, ear drops, eye drops, incontinence pads, feminine products, medicated skin cream, sunscreen, insect repellent, laxatives, antibacterial and antibiotic ointments, petroleum jelly, isopropyl rubbing alcohol, cotton balls and pads, pre-moistened towelettes, hand sanitizers, hydrogen peroxide, epsom salt, gels for use as a personal lubricant, condoms, corn and bunion pads, suppositories, contact lens cleaning solutions, medicated diaper rash ointments, wart removing preparations, foot powder, pregnancy and ovulation testing kits for home use, sodas, snack food, cereal, candy, energy drinks, energy bars, pens, pencils, umbrellas, coffee, tea. FIRST USE: 20100815. FIRST USE IN COMMERCE: 20100815

**Standard  
Characters  
Claimed****Mark  
Drawing  
Code**

(4) STANDARD CHARACTER MARK

**Serial  
Number**

85044834

**Filing Date**

May 21, 2010

**Current  
Basis**

1A

**Original  
Filing Basis**

1B

**Published  
for  
Opposition**

October 19, 2010

**Registration  
Number**

3991089

**Registration  
Date**

July 5, 2011

**Owner**

(REGISTRANT) Quidsi, Inc. CORPORATION DELAWARE 10 Exchange Place, 25th Floor Jersey City NEW JERSEY 07302

**Attorney of  
Record**

Dana Brown Northcott/James F. Struthers

**Type of  
Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live/Dead  
Indicator**

LIVE

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[PREV LIST](#)[CURR LIST](#)[NEXT LIST](#)[FIRST DOC](#)[PREV DOC](#)[NEXT DOC](#)[LAST DOC](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS	DOCUMENTS	MAINTENANCE	<a href="#">Back to Search</a>	Print
<b>Generated on:</b> This page was generated by TSDR on 2016-04-21 18:21:51 EDT				
<b>Mark:</b> GET STUFF. DONE.				
GET STUFF. DONE.				
<b>US Serial Number:</b> 85044834		<b>Application Filing Date:</b> May 21, 2010		
<b>US Registration Number:</b> 3991089		<b>Registration Date:</b> Jul. 05, 2011		
<b>Register:</b> Principal				
<b>Mark Type:</b> Service Mark				
<b>Status:</b> Registered. The registration date is used to determine when post-registration maintenance documents are due.				
<b>Status Date:</b> Jul. 05, 2011				
<b>Publication Date:</b> Oct. 19, 2010		<b>Notice of Allowance Date:</b> Dec. 14, 2010		
<b>▼ Mark Information</b> <span style="float: right;"><a href="#">▲ Collapse All</a></span>				
<b>Mark Literal Elements:</b> GET STUFF. DONE.				
<b>Standard Character Claim:</b> Yes. The mark consists of standard characters without claim to any particular font style, size, or color.				
<b>Mark Drawing Type:</b> 4 - STANDARD CHARACTER MARK				
<b>▼ Goods and Services</b>				
<b>Note:</b> The following symbols indicate that the registrant/owner has amended the goods/services: <ul style="list-style-type: none"> <li>• Brackets [...] indicate deleted goods/services;</li> <li>• Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and</li> <li>• Asterisks *..* identify additional (new) wording in the goods/services.</li> </ul>				

<b>For:</b>	On-line retail store services featuring fragrances, cosmetics, over-the-counter pharmaceutical preparations, vitamins, shaving cream, razors, lip balm, denture cleanser, toothpaste, toothbrushes, dental floss, mouth wash, bath accessories, bath and hand towels, paper towels, housewares, hardware items, kitchen utensils and accessories, gardening items, laundry bags, clotheslines, fabric softener, candles, candle holders, automotive care and accessories, temperature-retaining containers, coffee mugs, thermometers, brushes, combs, pesticides, surge protectors, extension cords, seasonal ornaments and trimmings, gift bows, wrapping papers, bags, cards, stationery, curtains, tablecloths, shower hooks, hangers, lint rollers, sewing accessories, shoe cleaning materials and accessories, vases, first aid kits, patches, electronics, small household appliances, hair care appliances, health care appliances, flashlights, light bulbs, night lights, lamps, fans, batteries, wall clocks, alarm clocks, wrist watches, calculators, telephones, purses, reading glasses, sun glasses, cameras, picture frames, pet foods and supplies, office supplies, prepaid phone cards, books, magazines, wall calendars, diapers, diaper wipes, baby formula and food, toys, maternity products, clothing, stockings, baby feeding accessories, bubble bath, body lotion, massage oil, hair care products, books, breastfeeding equipment and accessories, prerecorded audio and video compact discs and DVDs, mineral supplements, herbal supplements, food and nutritional supplements, ear drops, eye drops, incontinence pads, feminine products, medicated skin cream, sunscreen, insect repellent, laxatives, antibacterial and antibiotic ointments, petroleum jelly, isopropyl rubbing alcohol, cotton balls and pads, pre-moistened towelettes, hand sanitizers, hydrogen peroxide, epsom salt, gels for use as a personal lubricant, condoms, corn and bunion pads, suppositories, contact lens cleaning solutions, medicated diaper rash ointments, wart removing preparations, foot powder, pregnancy and ovulation testing kits for home use, sodas, snack food, cereal, candy, energy drinks, energy bars, pens, pencils, umbrellas, coffee, tea		
<b>International Class(es):</b>	035 - Primary Class	<b>U.S Class(es):</b>	100, 101, 102
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	1(a)		
<b>First Use:</b>	Aug. 15, 2010	<b>Use in Commerce:</b>	Aug. 15, 2010

**▼ Basis Information (Case Level)**

<b>Filed Use:</b>	No	<b>Currently Use:</b>	Yes	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	Yes	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

**▼ Current Owner(s) Information**

<b>Owner Name:</b>	Quidsi, Inc.
<b>Owner Address:</b>	10 Exchange Place, 25th Floor Jersey City, NEW JERSEY UNITED STATES 07302

<b>Legal Entity Type:</b>	CORPORATION	<b>State or Country Where Organized:</b>	DELAWARE
---------------------------	-------------	--	----------

▼ **Attorney/Correspondence Information**

**Attorney of Record**

<b>Attorney Name:</b>	Dana Brown Northcott/James F. Struthers	<b>Docket Number:</b>	TMK132037/QU
<b>Attorney Primary Email Address:</b>	<a href="mailto:trademarks@amazon.com">trademarks@amazon.com</a>	<b>Attorney Email Authorized:</b>	Yes

**Correspondent**

<b>Correspondent Name/Address:</b>	Dana Brown Northcott/James F. Struthers Amazon Technologies, Inc./Richard Law Group P. O. Box 8102 Reno, NEVADA UNITED STATES 89507-8102		
<b>Phone:</b>	206 266 4064		
<b>Correspondent e-mail:</b>	<a href="mailto:trademarks@amazon.com">trademarks@amazon.com</a>	<b>Correspondent e-mail Authorized:</b>	Yes

**Domestic Representative - Not Found**

▼ **Prosecution History**

Date	Description	Proceeding Number
Oct. 23, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 23, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 05, 2011	REGISTERED-PRINCIPAL REGISTER	
Jun. 01, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
May 31, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	66121
May 27, 2011	ASSIGNED TO LIE	66121
May 27, 2011	ASSIGNED TO LIE	59554
May 25, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 24, 2011	STATEMENT OF USE PROCESSING COMPLETE	61813
May 19, 2011	USE AMENDMENT FILED	61813
May 24, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813

May 19, 2011	TEAS STATEMENT OF USE RECEIVED	
Dec. 14, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 19, 2010	PUBLISHED FOR OPPOSITION	
Sep. 29, 2010	NOTICE OF PUBLICATION	
Sep. 13, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	76532
Sep. 13, 2010	ASSIGNED TO LIE	76532
Aug. 31, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 30, 2010	ASSIGNED TO EXAMINER	72737
May 26, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 25, 2010	NEW APPLICATION ENTERED IN TRAM	

#### ▼ **TM Staff and Location Information**

##### **TM Staff Information - None**

##### **File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** May 31, 2011

#### ▼ **Assignment Abstract Of Title Information - Click to Load**

#### ▼ **Proceedings - Click to Load**



# EXHIBIT O



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

Logout

Please logout when you are done to release system resources allocated for you.

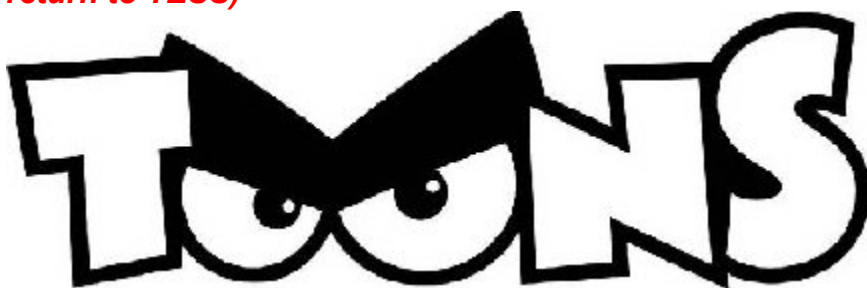
## Record 1 out of 1

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)



**Word Mark** TOONS

**Goods and Services**

IC 009. US 021 023 026 036 038. G & S: Photographic apparatus and instruments, namely, cameras and flashes for cameras, cases for cameras and photographic equipment; optical apparatus and instruments, namely, optical discs, optical lamps; signaling apparatus and instruments, namely, flashing lights, signal bells, signaling whistles, and signal alarms; teaching apparatus and instruments, namely, audiovisual receivers; measuring apparatus, devices and instruments, namely, measuring spoons and measuring cups; apparatus for recording, transmission and reproduction of sound and images; blank magnetic data carriers, blank magnetic computer tapes, and blank recording discs; pre-recorded magnetic data carriers featuring music, images, motion picture films, animated cartoons and computer games; pre-recorded digital audio tapes featuring music, images, motion picture films, animated cartoons and computer games; pre-recorded exercise DVDs; pre-recorded magnetic audio discs featuring music; pre-recorded video cassettes featuring music, images, motion picture films, animated cartoons; mechanisms for coin-operated apparatus; cash registers; automatic teller machines; data processing equipment and computers; fire-extinguishing apparatus; video game programs for cellular telephones, mobile devices, laptops, personal computers, consoles and tablet computers; video games software for handheld game devices; computer game programs downloadable via Internet; electronic game programs; downloadable electronic game programs; electronic game software; computer game programs; computer game programs for handheld game devices; electronic game software for mobile phones downloadable via Internet; downloadable computer game programs; computer game software and computer application software for mobile phones; phonograph records featuring music; interactive game software; recorded computer operating programs; computers; printers for use with computers; data processing apparatus, namely, computers; computer programs for handheld game devices; film projection equipment. protective cases for telephones and portable computers; laptops; laptop and mobile phone carrying cases and bags; blank DVD disks; pre-recorded DVDs featuring music, images, motion picture films, animated cartoons and computer games; blank compact discs; compact disc players; blank CD-ROM discs; pre-recorded CD-ROM and compact discs featuring music, images, motion picture films, animated cartoons and computer games; pre-recorded CD-ROMs containing programs for controlling consumer video game devices; mouse mats; sunglasses; spectacles; eyeglass chains; spectacle cases; contact lenses; containers for contact lenses; wireless telephones,

cellular telephones and parts and fittings therefor; video game cartridges, cassettes and discs; mobile phone cases and carriers specially adapted for holding or carrying mobile telephones and personal computers; bags, covers, containers, carriers and holders specifically adapted for use with cellular telephones and laptops; headphones; ear phones; earphones and microphones, and speaker phones for use with mobile telephones; straps and cases specifically adapted for use with cellular mobile telephones; stands for portable; telephones; antenna caps for portable phones; batteries; battery boxes and cases; battery chargers; digital music downloadable from the Internet; downloadable music files; abacuses; binoculars; calculating machines; cameras, cinematographic cameras, and parts and fittings therefor; lenses for cameras; motion picture films featuring animated cartoons; films being animated cartoons; cassette players; electric door chimes; electronic pocket translators; fire alarms; flashlights for use in photography; heat regulating apparatus, namely, thermostats; juke boxes; optical lenses; letter scales; life belts; life jackets; life rafts; electric locks; blank magnetic encoded cards; magnetic encoded cards being magnetic encoded gift cards; magnetic encoders. magnets; magnifying glasses; microphones; microscopes; neon signs; notebook computers; electronic pens; gramophone records featuring music; photocopiers; handheld calculators; projection apparatus, namely, movie projectors, multimedia projectors, picture projectors; projection screens; radios; record players; remote control apparatus for radios, televisions and stereos; measuring instruments being rulers; scales; blank electronic chip cards (blank smart cards); smoke detectors; electric sockets and plugs; sound recording apparatus; gramophone records featuring music; sound-reproducing apparatus; sound and image transmitting apparatus; telephones apparatus, receivers, transmitters, wires; telescopes; television apparatus for projection purposes; temperature indicators; electric theft prevention installations, being burglar alarms and theft alarms; thermometers; thermostats; blank video cassettes; blank video game cartridges; blank video discs; blank videotapes; video screens; video recorders; word processors; audio and visual apparatus with sing along devices, namely, karaoke players with sing along devices; pagers, and parts and fittings therefor; pagers; pager cases and casings; call indicators, namely, telephones, mobile telephones and pagers and mobile telephones; headsets for mobile telephones; protective masks worn over the eyes to shield off lights; electronic diaries; electronic alarm bells being warning devices; alarms, namely, burglar alarms; electronic door alarms; bar code readers; barometers; electronic buzzers; electric buzzers; central processing units; integrated circuit chips; chronographs for use as specialized time recording apparatus; computer keyboards; computer memories; computer peripheral devices; acoustic couplers; couplers being data processing equipment; blank optical data carriers including DVDs, CDs, and floppy disks; blank optical disks; blank magnetic disks; divers' masks; diving suits; electronic notice boards being visual display units; electronic pens; eyeglass cords; protective eyepieces. facsimile machines; filters for photography; blank floppy disks; head cleaning tapes for video recorders and video playback devices; hygrometers; integrated circuits; intercommunication apparatus being intercoms; interfaces for computers; electric couplings; electric conduits; invoicing machines, namely, adding machines; lens hoods; blank magnetic tape units for computers; blank magnetic tapes; measuring spoons; metronomes; microprocessors; computer modems; money counting and sorting machines; computer monitors; computer mice; optical fibers; optical glasses; optical lenses; parking meters; protractors; radiotelegraphy sets; radio telephones; scanners being data processing equipment; semiconductors; photographic slides; sound recording exposed films; demagnetizing apparatus for magnetic tapes; telegraph wires; fax apparatus; teleprinters; teleprompters; ticket dispensers; vacuum gauges being measuring instruments; video telephones; video recorders; whistle alarms being signal whistles; ear plugs for divers; egg timers; goggles for sports; protective helmets for use in sports; navigation apparatus for vehicles in the nature of on-board computers; metronomes; downloadable electronic publications in the nature of books and magazines in the field of computer literacy, spelling, reading, math, social studies, science, geography, language arts, foreign languages, writing, geology, phonics, music, art and general trivia; downloadable cartoon strips; personal stereos; satellites for scientific purposes; wrist rests for use with computers; electronic circuits and blank CD-ROMs which enable the recording of automatic playing programs for the use of electronic musical instruments; memory cards for consumer video game apparatus

IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper, cardboard and goods made from these materials, not included in other classes, namely, paper cartons for delivering goods, advertising signs of paper, advertising signs of cardboard, art paper, blank or partially printed paper labels, blank paper notebooks, lined and unlined writing pads, memo pads, notepads, book-cover paper, business card paper, calendared paper, gift-wrapping paper, paper towels, notebook paper, paper folders, paper envelopes for packaging, table cloths of paper, table linens of paper, paper napkins, toilet paper, boxes of cardboard or paper, gift boxes made of cardboard, cardboard cartons, cardboard containers, paper handkerchiefs, paper napkins for removing make-up; printed matter, namely, address books,

autograph books, calendars, planners of paper, appointment books, guest books, recipe books, diaries, books, booklets, printed periodicals, magazines, namely, gaming magazines, manuals, newspapers, newsletters, journals, children's books, baby books, comic books, coloring and children's activity books, all in the fields of computer, literacy, spelling, reading, math, social studies, science, geography, language arts, foreign languages, writing, geology, phonics, music, art and general trivia, cartoons and video games; instructional and teaching materials in the fields of computer, literacy, spelling, reading, math, social studies, science, geography, language arts, foreign languages, writing, geology, phonics, math, music, art and general trivia, cartoons and video games; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; magnetic boards; two-ring binders; three-ring binders; artists' materials, namely, brushes, pastels, pencils, pens, watercolor saucers, canvas panels, molds for modeling clays; paint brushes; typewriters; plastic bags for packaging not included in other classes. printers' type; printing blocks; scrapbook albums; photo albums; stamp albums; coin albums; book covers; bookmarks; blotters; bookends; papers mats for framing paintings, pictures and photographs; photograph stands; coasters made of paper; paintings; erasers; coin wrappers; packing paper; blister cards and plastic bubble packing paper; printed invitation cards; printed awards; printed certificates; printed invitations; printed menus; paper party decorations; paper cake decorations; a series of paperback fiction books; modeling clay; pencil sharpeners; electric pencil sharpeners; paper clips; paper weights; thumb tacks or push pins; drawing pins in the nature of push pins; writing instruments, namely, pens, pencils, fountain pens, ball-point pens, and pen nibs; desk pen holders; desk pen stands; ink refills for pens and writing instruments; pencil leads; colored pencils; crayons; pen and pencil cases; artists' watercolor saucers; pastels; drawing materials for blackboards; drawing boards; drawing pens, pencils and drawing instruments; drawing sets comprising drawing paper and colored pencils; canvas for painting; letter trays and paper racks; letter holders; loose-leaf binders; paper knives being office requisites in the nature of letter openers; letter openers; electric letter openers; adhesive tapes for stationery or household purposes and adhesive tape dispensers; pictures; stencils; picture story books; graphic art reproductions; portraits; posters; lithographs; postcards; greeting cards; musical greetings cards; rubber marking stamps; sealing stamps and seals; postage stamps and seals; holders and cases for postage stamps and seals; stamp pads; ink pads; writing inks; scratch pads; paper staplers; pastes and glues for stationery and household purposes. party ornaments and party decorations made of paper and cardboard; erasers; correcting fluids used as office requisites; stationery, stationery-type portfolios and folders; index cards; document files; sticker albums; stickers; postage stamps; greeting cards; trading cards; baggage and luggage paper identification tags; paper patterns for making clothes; general purpose plastic bags; plastic party goodie bags; paper bags; paper lunch bags; bags for microwave cooking; paper filters for coffee makers; cling film being food wrapping; envelopes, writing paper; drawing paper; copying paper; writing cases in the nature of stationery cases; tablecloths of paper; bibs of paper; paper flags; paper banners; protective covers for notebooks; place mats and coasters of paper and cardboard; blackboards; chalk; wipe-on wipe-off boards being dry erase boards; office passport holders, checkbook holders; decorations of paper for lunch boxes and foodstuffs; blank paper tapes and cards for the recordal of computer programs; maps; inking ribbons; printed entry tickets; paper cutters; advertising signboards of paper and cardboard; iron on printed transfers for embroidery and fabric appliques; printed patterns for costumes, pajamas, sweatshirts and T-shirts

IC 018. US 001 002 003 022 041. G & S: Leather and imitations of leather, animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery; bags, namely, athletic bags; bath bags in the nature of toiletry bags sold empty; book bags; diaper bags; duffel bags; suit carriers being travelling bags; waist bags; all purpose carrying bags, weekend bags in the nature of tote bags; backpacks; rucksacks; knapsacks; purses and wallets; suitcases; attach cases; canvas and leather shopping bags; leather shoulder belts; calling card cases, collars for animals or pets; vanity cases sold empty; muzzles; school satchels; suitcase handles; travelling sets comprising luggage; travelling trunks; umbrella covers; umbrella handles; walking stick seats; luggage tags, beach bags; briefcases; boxes and cases of leather or leatherboard; handbags; leather straps; mountaineering sticks; briefcase-type portfolios for carrying sheet music; net bags for shopping; school bags; tool bags of leather or imitations of leather sold empty; valises; hunters' game bags; bags, envelopes and pouches of leather for packaging; handbag frames; sling bags for carrying infants; wheeled shopping bags; wheeled backpacks, duffel bags and suitcases; luggage, namely, cardboard trunks and wine carrying cases; chain mesh purses, not of precious metal; clutch purses; coin purses; cosmetic purses, not fitted; evening purses; leather purses; purses, not of precious metal; garment bags for travel

IC 024. US 042 050. G & S: Bed and table covers of textile; handkerchiefs; napkins of textile; banners of textile; bath linen; bedspreads; bed blankets; cotton cloth, felt cloth; covers for cushions; door curtains; towels; flags of textile; household linen; cloth labels; cloth napkins for removing make-up; mattress covers; washing mitts; mosquito nets; curtains; pillowcases; plastic material, namely, synthetic fiber fabrics; quilts; travelling rugs; textile sheets in the nature of flat bed sheets and fitted bed sheets; shrouds; silk fabrics; table linen; table mats not of paper; tapestries of textile; upholstery fabrics; wall hangings of textile; bedding, namely, bed sheets, bed linen, bed spreads; curtain holders of textile; cotton fabrics; coverlets in the nature of bedspreads; fabrics for textile use; face towels of textile; felt; frieze; hemp fabric; velvet; woolen cloth; covers of fabric for door knobs; fabric table runners; kitchen linens, namely, dish towels for drying, kitchen towels, fabric place mats, washing mitts, fabric table runners, cloth coasters; bath towels; place mats of linen; unfitted coverings of textile and of plastic for furniture; shower curtains; cotton, polyester and/or nylon fabric, fabric of imitation animal skins; golf towels; damask; elastic woven fabrics for clothing; silk fabrics for printing patterns; printers' blankets of textile; oilcloth for use as tablecloths; lingerie fabric; jersey fabric; fabric impervious to gases for aeronautical balloon; linings and sheets of textile for household purposes, namely, curtain liners

IC 025. US 022 039. G & S: Footwear, aprons; swimwear, swimsuits, bathing suits; waterproof clothing, namely, jackets, pants, coats, shirts, dresses, gloves, sweaters, trousers, T-shirts, and skirts; gloves; mittens; belts; babies clothing, namely, pajamas, jackets, shirts, jumpers; bibs, not of paper; underclothing; sleepwear and pyjamas; bath robes; suspenders; hats, caps, sun visors, berets; bathing and shower caps; muffs; ear muffs; neckwear; neckties; cravats; pre-tied bow ties, bow ties; socks and stockings, panty hose; garter belts, stocking and panty hose suspenders; shoes, sports shoes, slippers, beach shoes; masquerade costumes; working sleeves in the nature of sun sleeves; bandanas neckerchiefs; bath sandals; bath slippers; ski boots; boots; braces for clothing suspenders; brassieres; breeches for wear; camisoles; coats; cuffs; fur stoles; headbands clothing; jackets clothing; jerseys clothing; jumpers; overcoats; pants; parkas, sandals; scarves; shawls; shirts; slips undergarments; smocks; spats; boots for sports; sports jerseys; suits; trousers; uniforms; wet suits for water skiing; wristbands clothing; gymnastic shoes; clothing for gymnastics, namely, leotards, tights, T-shirts; sashes for wear; jogging suits, trousers, jeans, tank tops, skirts, blouses; snow suits, robes, sneakers, booties, slipper socks; cloaks; cloth bibs; chaps; beach cover-ups; dresses; jackets; leotards; overalls; ponchos; rainwear; shorts; sweaters; sweatshirts; babies' pants; welts for boots; clothing of imitations of leather, namely, coats; clothing of leather, namely, shirts, pants, coats, dresses; collar protectors, collars clothing, detachable collars; corsets underclothing; cyclists' clothing, namely, cycling shorts and jerseys; football boots, football shoes; paper clothing, namely, paper aprons, paper hats, paper shoes used when going through metal detectors to keep feet and socks clean. pockets for clothing; ready-made linings parts of clothing; saris; skull caps; sports shoes; sweat-absorbent underclothing; teddies undergarments; wooden shoes; vests; uniforms; underpants; top hats; togas; non-slip soles for boots and shoes; motorists' clothing, namely, gloves, jackets, rainsuits; leggings; hoods clothing; heels; heelpieces for boots and shoes; half-boots; gymnastic shoes; galoshes; garters; furs as clothing, namely, cloaks, coats, jackets, muffs, stoles; footmuffs, not electrically heated; T-shirts; tops; hooded sweatshirts; fleece tops; loungewear; long sleeve tops; zip through tops; jogging pants; knit fleece hats; fashion headgear, namely, headbands; flip flops; plush slippers; plush novelty hats; sleep masks for eliminating light

IC 028. US 022 023 038 050. G & S: Games and playthings, namely, action skill games, action target games, arcade-type electronic education video games, board games, card games, building games, educational card games, electronic educational game machines for children, hand held units for playing electronic games other than those adapted for use with an external display screen or monitor, promotional game cards, puzzle games; video game consoles for use with an external display screen or monitor; gymnastic and sporting articles not included in other classes, namely, sports training device to improve strength, toning, conditioning, balance, and proprioception; plush toys; plastic character toys; action figure toys; toy figures; articles of clothing for toys, attachable, wearable; magnetic toy figurines; bath toys; dolls; puppets; soft dolls; teddy bears; toy figures and play sets; action figures and accessories therefor; toy figures attachable to mobile phones, pencils or key rings; bathtub toys; ride-on toys; balls for sports and balloons; yo-yos; balls for games; playing balls; playground balls; soccer balls; baseballs; tennis balls; footballs; volley balls; rubber balls; decorations and ornaments for Christmas trees; toy vehicles; toy mobiles; surf boards; snowboards; ice skates; skateboards; toy air pistols; backgammon games; bells for Christmas trees; billiard balls; billiard tables; toy building blocks; board games; chess games; chess boards; Christmas crackers; skating boots with skates attached; bowling apparatus and machinery; building games; candle holders for Christmas trees; checkerboards; checkers; Christmas trees of synthetic materials; cups for dice;

darts; dice; dolls' beds; dolls' clothes; dolls' houses; dolls' rooms; dominoes; dumb-bells; elbow guards for athletic use; chest expanders; fairground ride apparatus, namely, amusement park rides, roller coasters, carousels; dolls' feeding bottles; fish hooks; fishing tackle; flippers for swimming; floats for fishing; flying discs; automatic and coin-operated amusement game machines; bats for games; apparatus for electronic games other than those adapted for use with external display screen or monitor; electronic game equipment for playing video games, namely, handheld units for playing video games other than those adapted for use with an external display screen or monitor; golf bags; golf clubs; golf gloves; gloves for games and sports, namely, baseball gloves, golf gloves, boxing gloves, hockey gloves, bowling gloves, football gloves; practical jokes, namely, toy and novelty face masks; toy foam novelty items, namely, foam fingers and hands; kite reels; kites; knee guards for athletic use; mah-jong sets; marbles for games; marionettes; theatrical masks; toy masks; scale model vehicles; parlour games; toys, namely, percussion caps; toy pistols; rackets being tennis rackets, table tennis rackets, paddle rackets, badminton rackets, squash rackets; infant's rattles; ring games; rocking horses; roller skates; sailboards; skis; slides for playgrounds; soap bubbles dispenser toys, bubble making wand and solution sets; spinning tops; spring boards; stationary exercise bicycles; play swimming pools; swimming webs, namely, flippers; swings; tables for table tennis; toys for domestic pets; water skis; play articles for swimming, water games sports and activities, namely, water pistols, water squirting toys, water globes; beach balls; amusement game machines; bags especially designed for skis and surfboards; bingo cards; butterfly nets; playing cards; confetti; in-line roller skates; kaleidoscopes. masts for sailboards; landing nets for anglers; radio-controlled toy vehicles; roulette wheels; snow globes; snowshoes; amusement apparatus for use in arcades incorporating a video monitor; stand-alone video output game machines; coin or counter operated arcade games; horizontal pinball machines; hand-held units for playing electronic games for use with external display screen or monitor; non-electric handheld action skill games; game equipment for playing board games, card games, manipulative games, parlour games, parlour-type computer games, and action-type target games; puzzles; paper face masks; toy masks, namely, masquerade and Halloween masks; water squirting toys; dartboards; surfboards; swimming aids, namely, arm floats for recreational use; swimming kick board flotation devices for recreational use; swim boards for recreational use; swim fins; toy guns; toy bakeware and toy cookware; toy snow globes; boxing gloves; hockey sticks; Christmas stockings; sling shots; paper party hats; parts and fittings for consumer video game devices; video lottery ticket terminals

IC 029. US 046. G & S: Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products excluding ice cream, ice milk and frozen yoghurt; edible oils and fats; bouillon; bouillon concentrates; broth; broth concentrates; butter; caviar; cheese, cheese snacks, namely, cottage cheese, cheese spreads; cheese in the form of dips, spreads and sticks; dairy products excluding ice cream, ice milk and frozen yogurt; frosted fruits; frozen fruits; processed and dried fruits; vegetable and fruit juices for cooking; fruit chips; processed and dried vegetables; margarine; marmalade; meat jellies; meat tinned; beverages consisting principally of milk; soybean-based food beverage used as a milk substitute; milk shakes; dairy products for making milk shakes, namely, milk; preserved mushrooms; preserved onions, preserved olives; gherkin; prepared nuts; ginger jam; pastes of liver; pate of liver; cocoa butter for food purposes; peanut butter; peanuts, processed; lentils, preserved; peas, preserved; fruit peel; potato chips; potato crisps; potato fritters; salads except macaroni, rice, and pasta salad; sauerkraut; sausages; sesame oil; preparations for making soup; soups; tofu; vegetable salads; vegetable soup preparations; whipped cream; yoghurt; processed, edible seaweed; processed, dried and preserved meat, fish, poultry and game; bacon; preparations for making bouillon; chocolate nut butter; charcuterie; ham; crystallized fruits; fish, tinned; fruit jellies; fruit salads; maize oil; olive oil for food; raisins; tomato puree; tinned fruits and vegetables; seafood not live; processed and preserved seafood; seafood, tinned; pickles

IC 032. US 045 046 048. G & S: Beers; mineral and aerated waters, fruit drinks and fruit juices; syrups and other preparations for making beverages, namely, syrup substitutes for making beverages; ales; alcoholic and non-alcoholic beers; non-alcoholic fruit drinks; non-alcoholic fruit juices; non-alcoholic fruit extracts used in the preparation of beverages; non-alcoholic wines; pineapple juice beverages; aperitifs, non-alcoholic; cocktails, non-alcoholic; energy drinks; non-alcoholic beverages containing fruit juices; syrup for making fruit juices and fruit drinks; fruit nectars, non-alcoholic; whey beverages; extracts of hops for making beer; non-alcoholic honey-based beverages; ginger beers; isotonic beverages; iced fruit beverages; drinking water; vegetable juices; cola beverages; kvass; spring water; Lithia water; preparations for making liqueurs, namely, essences used in the preparation of liqueurs; lemonades; milk of almonds; peanut milk; malt beer; malt-based preparations for making beverages, namely, malt syrup; almond beverages; flavored waters; beer

wort; frozen fruit beverages; lagers; pastilles for effervescing beverages; table waters; bottled water; grape juice; must; sarsaparilla; seltzer water; shandy; cider, non-alcoholic; soda water; sorbets in the form of beverages; stout; sports drinks; extracts for making beverages, namely, extracts of hops and malt for making beer; non-alcoholic fruit extracts used in the preparation of beverages; vegetable juice; soft drinks; syrups for making soft drinks

IC 035. US 100 101 102. G & S: Advertising; business management; business administration; office functions. wholesale store services, retail store services, and mail order catalog services featuring games for mobile devices, games for personal computers, games for consoles, games for tablets, electronic game programs, downloadable electronic game programs, electronic game software, computer game programs, downloadable computer game programs, interactive game programs, interactive game software, protective carrying cases specially adapted for phones and handheld computers, mouse pads, party favours and festive decorations and ornaments, gifts, soaps, perfumery, essential oils, cosmetics, hair lotions, hair care products, toiletries, dentifrices, personal hygiene products, cleaning, polishing and abrasive preparations, substances for laundry use, manicure tools, nail care preparations, nail polish, nail varnish, false nails, dietetic substances, food for babies, sanitary preparations, candles, wicks, spills for lighting, greases, lubricants, oils for paints, cutlery, crockery, manicure sets, shaving instruments, razors, machines and machine tools for kitchen or household purposes, hand-held tools, films, cameras, photo discs, video recorders, audio and video tapes, records and discs, instruments and apparatus for the recording, transmitting and/or reproduction of sounds and/or images, televisions, cassette tape players and/or recorders, video cassette and/or disc players and/or recorders, radios, telephones, wireless phones, mobile phones, mobile phone cases, decorations and straps for phones, call indicators, calculating machines, calculators, electronic and computer games, cinematographic films, lights, fans, cooking utensils, cake and pastry moulds, toasters, ovens, kitchen utensils, utensils and containers for serving or storing food and/or beverages, chop sticks, cutting instruments, porcelain, chinaware, crystal ware, enamelware, silverware, glassware, terra-cotta ware, earthenware, ceramics, hair dryers, lamps, lamp shades and parts and fittings therefor. baby carriages, balloons, bicycle horns, clocks and watches and accessories and parts and fittings therefor, jewellery and imitation jewellery, ornaments, goods of precious metal or coated therewith, music boxes, musical instruments, pictures, photographs, stationery, paper and cardboard and goods made from these materials, artists materials, paint brushes, writing instruments, printed matter, books, newspapers, magazines and periodicals, greeting and Christmas cards, playing cards, packing and packaging materials, picture frames and stands, adhesives for stationery or household purposes, goods made of leather and/or imitations of leather, bags and luggage, purses and wallets, umbrellas, walking sticks, furniture, mirrors, coat hangers and pegs, boxes and containers, name plates, small household fittings, household or kitchen utensils and containers, combs, sponges, brushes, articles for cleaning purposes, spectacles, spectacle frames and sunglasses and cases and accessories therefor, textile and textile goods, bedding, and table linens and covers, napkins, table mats, furniture, haberdashery, handkerchieves, articles of children, women and men's clothing, footwear, headgear and gloves, buttons, badges, ribbons and braid, lace and embroidery, hair pins and ornaments, braces, shoe ornaments, hat ornaments, zipper and zipper fasteners, carpets, rugs and mats, toys, games and playthings, dolls, plush toys, soft dolls, figurines, sporting articles, decorations for Christmas trees, food and beverages, confectionery, floral products, matches, cigars, cigarettes and smokers' articles; organization of exhibitions for commercial or advertising purposes; publication of publicity texts; sales promotion for others; arranging of fairs and exhibitions for advertising purposes; business management of performing artists; import-export agencies; compilation of information into computer databases; direct mail advertising. business management of hotels; marketing research; outdoor advertising; personnel recruitment; advertising agency services; radio advertising; television advertising; on-line advertising on a computer network; rental of advertising time on communication media; office machines and equipment rental; vending machine rental services; auctioneering

IC 038. US 100 101 104. G & S: Telecommunications, namely, providing internet access via broadband, optical or wireless networks; cable television broadcasting; television broadcasting; cellular telephone communication; communications by fiber optic networks; communications by telegrams; communications by telephone; providing information on communication by telephones and cellular telephones; computer aided transmission of messages and images; electronic mail; facsimile transmission; radio broadcasting; sending of telegrams; telephone services; television broadcasting; paging services; providing telecommunications connections to a global computer network; providing user access to a global computer network as a service provider; telecommunication routing and junction services; electronic bulletin board services and providing information thereof; teleconferencing services; communication by consumer video game apparatus; providing information

on communication by consumer video game apparatus; communication by arcade video game machines; providing information on communication by arcade video game machines; communication by handheld game apparatus; providing information on communication by handheld game apparatus; communication by messages and pictures by using computers; telecommunication other than broadcasting, namely, providing internet access via broadband, optical or wireless networks; broadcasting; news agency services for electronic transmission, namely, the transmission of news items to news reporting services; rental of telecommunication equipment including telephones and facsimile apparatus; rental of modems; message sending; satellite transmission; providing information on program listing of television broadcasting

IC 041. US 100 101 107. G & S: Education services, namely, providing on-line classes, seminars and workshops in the field of math, social studies, science, geography, language, arts, foreign languages, writing, geology, phonics, music, and general trivia; providing on-line training courses, seminars, workshops in the field of sports, music, arts, IT and general trivia; entertainment, namely, providing non-downloadable pre-recorded digital music presented to mobile communications devices via a global computer network and wireless networks; providing non-downloadable online computer games, images, pictures, movies, music and sounds for handheld game apparatus, for arcade video game machines and for consumer video game apparatus; providing non-downloadable online computer games, images, pictures, movies, music and sounds by computer network and via communication by a computer network and via communications by cellular phones; providing entertainment information via a website in the field of electronic game programs and electronic game products; organization or arrangement of video game tournament events; rental of consumer video game apparatus and arcade video game machines; rental of handheld game apparatus; educational and instructional services in the nature of classes, workshops or seminars in the field of arts, crafts, sports and general knowledge or trivia; organization of sporting events, namely, swimming meets, soccer competitions, baseball competitions and hockey competitions; providing entertainment information via websites; entertainment services in the nature of creation, development, and production of cinematographic films, animation and animated films, and television programs for others. provision of pre-recorded, non-downloadable digital music online by means of MP3 websites on a global computer network, the Internet and via mobile phones and wireless electronic communication devices; providing non-downloadable digital music from the Internet, via wireless electronic communication devices; providing amusement arcades and centers; providing amusement park and theme park services; amusement arcade services; organization, production and presentation of shows, concerts, live musical performances, theatrical performances, exhibitions in the fields of art, education, culture, sports and entertainment, sports competitions, sporting and cultural activities; cabarets and variety shows featuring comedy, live musical performances and live performances showcasing talent; movie studios, discotheque services; publication of books, texts, magazines, newspapers and periodicals; library services; providing facilities for entertainment for concerts, shows featuring comedy, live musical performance, and live performances showcasing talent, performances, sports, games, recreation and cultural activities; provision of information relating to education, entertainment, amusement, recreation, sports and culture; cinematographic film and video production; rental of cine-films, cinematographic films, video tapes, laser discs, video discs and digital versatile video discs; rental of sound recordings; rental of show and stage scenery; nursery schools; providing facilities for games; arranging of beauty contests; circuses; providing education in the field of math, social studies, science, geography, language, arts, foreign languages, writing, geology, phonics, music and general trivia rendered through correspondence courses; entertainer services, namely, live, televised and movie appearances by a professional entertainment; organization of exhibitions for cultural or educational purposes; gaming services in the nature of casino gaming; gymnastic instruction. providing museum facilities for presentations and exhibitions; operating lotteries; orchestra services; party planning; scriptwriting services; entertainment in the nature of theatre productions; zoological gardens services; electronic desktop publishing; entertainment services, namely, providing online video games via a computer network; sign language interpretation; vocational guidance; microfilming for others; music composition services for others; night clubs; entertainment services, namely, providing karaoke services; providing online electronic publications in the nature of news articles for children; online electronic publishing of electronic books and journals; videotaping; bowling alleys; rental of batting stadium or dome facilities for base ball games; provision of on-line non-downloadable movies and animated cartoons via a video-on demand service and provision of on-line non-downloadable movies and animated cartoons via a global computer network

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS



**Mark Drawing Code**

**Design Search Code** 02.11.02 - Eyes, human; Human eyes; Iris (eye)  
27.03.02 - Humans forming letters or numerals; Humans forming punctuation

**Serial Number** 79162863

**Filing Date** August 22, 2013

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** September 1, 2015

**Registration Number** 4853357

**International Registration Number** 1241531

**Registration Date** November 17, 2015

**Owner** (REGISTRANT) Rovio Entertainment Ltd LIMITED LIABILITY COMPANY FINLAND P.O. Box 65 FI-02151 Espoo FINLAND

**Attorney of Record** Christine B. Redfield

**Priority Date** February 27, 2013

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TOONS" IN CLASSES 9, 16, AND 41 APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the stylized wording "TOONS" with the "OO"s depicted as eyes.

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[| HOME](#) [| SITE INDEX](#) [| SEARCH](#) [| eBUSINESS](#) [| HELP](#) [| PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS

DOCUMENTS

MAINTENANCE

[Back to Search](#)

Print

**Generated on:** This page was generated by TSDR on 2016-04-21 18:23:18 EDT

**Mark:** TOONS



**US Serial Number:** 79162863

**Application Filing Date:** Aug. 22, 2013

**US Registration Number:** 4853357

**Registration Date:** Nov. 17, 2015

**Register:** Principal

**Mark Type:** Trademark, Service Mark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Nov. 17, 2015

**Publication Date:** Sep. 01, 2015

## ▼ Mark Information

[▲ Collapse All](#)

**Mark Literal Elements:** TOONS

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of the stylized wording "TOONS" with the "OO"s depicted as eyes.

**Color(s) Claimed:** Color is not claimed as a feature of the mark.

**Disclaimer:** "TOONS" IN CLASSES 9, 16, AND 41

**Design Search Code(s):** 02.11.02 - Eyes, human; Human eyes; Iris (eye)  
27.03.02 - Humans forming letters or numerals; Humans forming punctuation

## ▼ Related Properties Information

**International Registration Number:** [1241531](#)

**International Registration Date:** Aug. 22, 2013

## ▼ Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Photographic apparatus and instruments, namely, cameras and flashes for cameras, cases for cameras and photographic equipment; optical apparatus and instruments, namely, optical discs, optical lamps; signaling apparatus and instruments, namely, flashing lights, signal bells, signaling whistles, and signal alarms; teaching apparatus and instruments, namely, audiovisual receivers; measuring apparatus, devices and instruments, namely, measuring spoons and measuring cups; apparatus for recording, transmission and reproduction of sound and images; blank magnetic data carriers, blank magnetic computer tapes, and blank recording discs; pre-recorded magnetic data carriers featuring music, images, motion picture films, animated cartoons and computer games; pre-recorded digital audio tapes featuring music, images, motion picture films, animated cartoons and computer games; pre-recorded exercise DVDs; pre-recorded magnetic audio discs featuring music; pre-recorded video cassettes featuring music, images, motion picture films, animated cartoons; mechanisms for coin-operated apparatus; cash registers; automatic teller machines; data processing equipment and computers; fire-extinguishing apparatus; video game programs for cellular telephones, mobile devices, laptops, personal computers, consoles and tablet computers; video games software for handheld game devices; computer game programs downloadable via Internet; electronic game programs; downloadable electronic game programs; electronic game software; computer game programs; computer game programs for handheld game devices; electronic game software for mobile phones downloadable via Internet; downloadable computer game programs; computer game software and computer application software for mobile phones; phonograph records featuring music; interactive game software; recorded computer operating programs; computers; printers for use with computers; data processing apparatus, namely, computers; computer programs for handheld game devices; film projection equipment; protective cases for telephones and portable computers; laptops; laptop and mobile phone carrying cases and bags; blank DVD disks; pre-recorded DVDs featuring music, images, motion picture films, animated cartoons and computer games; blank compact discs; compact disc players; blank CD-ROM discs; pre-recorded CD-ROM and compact discs featuring music, images, motion picture films, animated cartoons and computer games; pre-recorded CD-ROMs containing programs for controlling consumer video game devices; mouse mats; sunglasses; spectacles; eyeglass chains; spectacle cases; contact lenses; containers for contact

lenses; wireless telephones, cellular telephones and parts and fittings therefor; video game cartridges, cassettes and discs; mobile phone cases and carriers specially adapted for holding or carrying mobile telephones and personal computers; bags, covers, containers, carriers and holders specifically adapted for use with cellular telephones and laptops; headphones; ear phones; earphones and microphones, and speaker phones for use with mobile telephones; straps and cases specifically adapted for use with cellular mobile telephones; stands for portable; telephones; antenna caps for portable phones; batteries; battery boxes and cases; battery chargers; digital music downloadable from the Internet; downloadable music files; abacuses; binoculars; calculating machines; cameras, cinematographic cameras, and parts and fittings therefor; lenses for cameras; motion picture films featuring animated cartoons; films being animated cartoons; cassette players; electric door chimes; electronic pocket translators; fire alarms; flashlights for use in photography; heat regulating apparatus, namely, thermostats; juke boxes; optical lenses; letter scales; life belts; life jackets; life rafts; electric locks; blank magnetic encoded cards; magnetic encoded cards being magnetic encoded gift cards; magnetic encoders; magnets; magnifying glasses; microphones; microscopes; neon signs; notebook computers; electronic pens; gramophone records featuring music; photocopiers; handheld calculators; projection apparatus, namely, movie projectors, multimedia projectors, picture projectors; projection screens; radios; record players; remote control apparatus for radios, televisions and stereos; measuring instruments being rulers; scales; blank electronic chip cards (blank smart cards); smoke detectors; electric sockets and plugs; sound recording apparatus; gramophone records featuring music; sound-reproducing apparatus; sound and image transmitting apparatus; telephones apparatus, receivers, transmitters, wires; telescopes; television apparatus for projection purposes; temperature indicators; electric theft prevention installations, being burglar alarms and theft alarms; thermometers; thermostats; blank video cassettes; blank video game cartridges; blank video discs; blank videotapes; video screens; video recorders; word processors; audio and visual apparatus with sing along devices, namely, karaoke players with sing along devices; pagers, and parts and fittings therefor; pagers; pager cases and casings; call indicators, namely, telephones, mobile telephones and pagers and mobile telephones; headsets for mobile telephones; protective masks worn over the eyes to shield off lights; electronic diaries; electronic alarm bells being warning devices; alarms, namely, burglar alarms; electronic door alarms; bar code readers; barometers; electronic buzzers; electric buzzers; central processing units; integrated circuit chips; chronographs for use as specialized time recording apparatus; computer keyboards; computer memories; computer peripheral devices; acoustic couplers; couplers being data processing equipment; blank optical data carriers including DVDs, CDs, and floppy disks; blank optical disks; blank magnetic disks; divers' masks; diving suits; electronic notice boards being visual display units; electronic pens; eyeglass cords; protective eyepieces; facsimile machines; filters for photography; blank floppy disks; head cleaning tapes for video recorders and video playback devices; hygrometers; integrated circuits; intercommunication apparatus being intercoms; interfaces for computers; electric couplings; electric conduits; invoicing machines, namely, adding machines; lens hoods; blank magnetic tape units for computers; blank magnetic tapes; measuring spoons; metronomes; microprocessors; computer modems; money counting and sorting machines; computer monitors; computer mice; optical fibers; optical glasses; optical lenses; parking meters; protractors; radiotelegraphy sets; radio telephones; scanners being data processing equipment; semiconductors; photographic slides; sound recording exposed films; demagnetizing apparatus for magnetic tapes; telegraph wires; fax apparatus; teleprinters; teleprompters; ticket dispensers; vacuum gauges being measuring instruments; video telephones; video recorders; whistle alarms being signal whistles; ear plugs for divers; egg timers; goggles for sports; protective helmets for use in sports; navigation apparatus for vehicles in the nature of on-board computers; metronomes; downloadable electronic publications in the nature of books and magazines in the field of computer literacy, spelling, reading, math, social studies, science, geography, language arts, foreign languages, writing, geology, phonics, music, art and general trivia; downloadable cartoon strips; personal stereos; satellites for scientific purposes; wrist rests for use with computers; electronic circuits and blank CD-ROMs which enable the recording of automatic playing programs for the use of electronic musical instruments; memory cards for consumer video game apparatus

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

**Class Status:** ACTIVE

**Basis:** 66(a)

**For:** Paper, cardboard and goods made from these materials, not included in other classes, namely, paper cartons for delivering goods, advertising signs of paper, advertising signs of cardboard, art paper, blank or partially printed paper labels, blank paper notebooks, lined and unlined writing pads, memo pads, notepads, book-cover paper, business card paper, calendared paper, gift-wrapping paper, paper towels, notebook paper, paper folders, paper envelopes for packaging, table cloths of paper, table linens of paper, paper napkins, toilet paper, boxes of cardboard or paper, gift boxes made of cardboard, cardboard cartons, cardboard containers, paper handkerchiefs, paper napkins for removing make-up; printed matter, namely, address books, autograph books, calendars, planners of paper, appointment books, guest books, recipe books, diaries, books, booklets, printed periodicals, magazines, namely, gaming magazines, manuals, newspapers, newsletters, journals, children's books, baby books, comic books, coloring and children's activity books, all in the fields of computer, literacy, spelling, reading, math, social studies, science, geography, language arts, foreign languages, writing, geology, phonics, music, art and general trivia, cartoons and video games; instructional and teaching materials in the fields of computer, literacy, spelling, reading, math, social studies, science, geography, language arts, foreign languages, writing, geology, phonics, math, music, art and general trivia, cartoons and video games; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; magnetic boards; two-ring binders; three-ring binders; artists' materials, namely, brushes, pastels, pencils, pens, watercolor saucers, canvas panels, molds for modeling clays; paint brushes; typewriters; plastic bags for packaging not included in other classes; printers' type; printing blocks; scrapbook albums; photo albums; stamp albums; coin albums; book covers; bookmarks; blotters; bookends; papers mats for framing paintings, pictures and photographs; photograph stands; coasters made of paper; paintings; erasers; coin wrappers; packing paper; blister cards and plastic bubble packing paper; printed invitation cards; printed awards; printed certificates; printed invitations; printed menus; paper party decorations; paper cake decorations; a series of paperback fiction books; modeling clay; pencil sharpeners; electric pencil sharpeners; paper clips; paper weights; thumb tacks or push pins; drawing pins in the nature of push pins; writing instruments, namely, pens, pencils, fountain pens, ball-point pens, and pen nibs; desk pen holders; desk pen stands; ink refills for pens and writing instruments; pencil leads; colored pencils; crayons; pen and pencil cases; artists' watercolor saucers; pastels; drawing materials for blackboards; drawing boards; drawing pens, pencils and drawing instruments; drawing sets comprising drawing paper and colored pencils; canvas for painting; letter trays and paper racks; letter holders; loose-leaf binders; paper knives being office requisites in the nature of letter openers; letter openers; electric letter openers; adhesive tapes for stationery or household purposes and adhesive tape dispensers; pictures; stencils; picture story books; graphic art reproductions; portraits; posters; lithographs; postcards; greeting cards; musical greetings cards; rubber marking stamps; sealing stamps and seals; postage stamps and seals; holders and cases for postage stamps and seals; stamp pads; ink pads; writing inks; scratch pads; paper staplers; pastes and glues for stationery and household purposes; party ornaments and party decorations made of paper and cardboard; erasers; correcting fluids used as office requisites; stationery, stationery-type portfolios and folders; index cards; document files; sticker albums; stickers; postage stamps; greeting cards; trading cards; baggage and luggage paper identification tags; paper patterns for making clothes; general purpose plastic bags; plastic party goodie bags; paper bags; paper lunch bags; bags for microwave cooking; paper filters for coffee makers; cling film being food wrapping; envelopes, writing paper; drawing paper; copying paper; writing cases in the nature of stationery cases; tablecloths of paper; bibs of paper; paper flags; paper banners; protective covers for notebooks; place mats and coasters of paper and cardboard; blackboards; chalk; wipe-on wipe-off boards being dry erase boards; office passport holders, checkbook holders; decorations of paper for lunch boxes and foodstuffs; blank paper tapes and cards for the recordal of computer programs; maps; inking ribbons; printed entry tickets; paper cutters; advertising signboards of paper and cardboard; iron on printed transfers for embroidery and fabric appliques; printed patterns for costumes, pajamas, sweatshirts and T-shirts

**International Class(es):** 016 - Primary Class**U.S Class(es):** 002, 005, 022, 023, 029, 037, 038, 050**Class Status:** ACTIVE

**Basis:** 66(a)

**For:** Leather and imitations of leather, animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery; bags, namely, athletic bags; bath bags in the nature of toiletry bags sold empty; book bags; diaper bags; duffel bags; suit carriers being travelling bags; waist bags; all purpose carrying bags, weekend bags in the nature of tote bags; backpacks; rucksacks; knapsacks; purses and wallets; suitcases; attach cases; canvas and leather shopping bags; leather shoulder belts; calling card cases, collars for animals or pets; vanity cases sold empty; muzzles; school satchels; suitcase handles; travelling sets comprising luggage; travelling trunks; umbrella covers; umbrella handles; walking stick seats; luggage tags, beach bags; briefcases; boxes and cases of leather or leatherboard; handbags; leather straps; mountaineering sticks; briefcase-type portfolios for carrying sheet music; net bags for shopping; school bags; tool bags of leather or imitations of leather sold empty; valises; hunters' game bags; bags, envelopes and pouches of leather for packaging; handbag frames; sling bags for carrying infants; wheeled shopping bags; wheeled backpacks, duffel bags and suitcases; luggage, namely, cardboard trunks and wine carrying cases; chain mesh purses, not of precious metal; clutch purses; coin purses; cosmetic purses, not fitted; evening purses; leather purses; purses, not of precious metal; garment bags for travel

**International Class(es):** 018 - Primary Class**U.S Class(es):** 001, 002, 003, 022, 041**Class Status:** ACTIVE**Basis:** 66(a)

**For:** Bed and table covers of textile; handkerchiefs; napkins of textile; banners of textile; bath linen; bedspreads; bed blankets; cotton cloth, felt cloth; covers for cushions; door curtains; towels; flags of textile; household linen; cloth labels; cloth napkins for removing make-up; mattress covers; washing mitts; mosquito nets; curtains; pillowcases; plastic material, namely, synthetic fiber fabrics; quilts; travelling rugs; textile sheets in the nature of flat bed sheets and fitted bed sheets; shrouds; silk fabrics; table linen; table mats not of paper; tapestries of textile; upholstery fabrics; wall hangings of textile; bedding, namely, bed sheets, bed linen, bed spreads; curtain holders of textile; cotton fabrics; coverlets in the nature of bedspreads; fabrics for textile use; face towels of textile; felt; frieze; hemp fabric; velvet; woolen cloth; covers of fabric for door knobs; fabric table runners; kitchen linens, namely, dish towels for drying, kitchen towels, fabric place mats, washing mitts, fabric table runners, cloth coasters; bath towels; place mats of linen; unfitted coverings of textile and of plastic for furniture; shower curtains; cotton, polyester and/or nylon fabric, fabric of imitation animal skins; golf towels; damask; elastic woven fabrics for clothing; silk fabrics for printing patterns; printers' blankets of textile; oilcloth for use as tablecloths; lingerie fabric; jersey fabric; fabric impervious to gases for aeronautical balloon; linings and sheets of textile for household purposes, namely, curtain liners

**International Class(es):** 024 - Primary Class**U.S Class(es):** 042, 050**Class Status:** ACTIVE**Basis:** 66(a)

**For:** Footwear, aprons; swimwear, swimsuits, bathing suits; waterproof clothing, namely, jackets, pants, coats, shirts, dresses, gloves, sweaters, trousers, T-shirts, and skirts; gloves; mittens; belts; babies clothing, namely, pajamas, jackets, shirts, jumpers; bibs, not of paper; underclothing; sleepwear and pyjamas; bath robes; suspenders; hats, caps, sun visors, berets; bathing and shower caps; muffs; ear muffs; neckwear; neckties; cravats; pre-tied bow ties, bow ties; socks and stockings, panty hose; garter belts, stocking and panty hose suspenders; shoes, sports shoes, slippers, beach shoes; masquerade costumes; working sleeves in the nature of sun sleeves; bandanas neckerchiefs; bath sandals; bath slippers; ski boots; boots; braces for clothing

	suspenders; brassieres; breeches for wear; camisoles; coats; cuffs; fur stoles; headbands clothing; jackets clothing; jerseys clothing; jumpers; overcoats; pants; parkas, sandals; scarves; shawls; shirts; slips undergarments; smocks; spats; boots for sports; sports jerseys; suits; trousers; uniforms; wet suits for water skiing; wristbands clothing; gymnastic shoes; clothing for gymnastics, namely, leotards, tights, T-shirts; sashes for wear; jogging suits, trousers, jeans, tank tops, skirts, blouses; snow suits, robes, sneakers, booties, slipper socks; cloaks; cloth bibs; chaps; beach cover-ups; dresses; jackets; leotards; overalls; ponchos; rainwear; shorts; sweaters; sweatshirts; babies' pants; welts for boots; clothing of imitations of leather, namely, coats; clothing of leather, namely, shirts, pants, coats, dresses; collar protectors, collars clothing, detachable collars; corsets underclothing; cyclists' clothing, namely, cycling shorts and jerseys; football boots, football shoes; paper clothing, namely, paper aprons, paper hats, paper shoes used when going through metal detectors to keep feet and socks clean; pockets for clothing; ready-made linings parts of clothing; saris; skull caps; sports shoes; sweat-absorbent underclothing; teddies undergarments; wooden shoes; vests; uniforms; underpants; top hats; togas; non-slip soles for boots and shoes; motorists' clothing, namely, gloves, jackets, rainsuits; leggings; hoods clothing; heels; heelpieces for boots and shoes; half-boots; gymnastic shoes; galoshes; garters; furs as clothing, namely, cloaks, coats, jackets, muffs, stoles; footmuffs, not electrically heated; T-shirts; tops; hooded sweatshirts; fleece tops; loungewear; long sleeve tops; zip through tops; jogging pants; knit fleece hats; fashion headgear, namely, headbands; flip flops; plush slippers; plush novelty hats; sleep masks for eliminating light	
<b>International Class(es):</b>	025 - Primary Class	<b>U.S Class(es):</b> 022, 039
<b>Class Status:</b>	ACTIVE	
<b>Basis:</b>	66(a)	
<b>For:</b>	Games and playthings, namely, action skill games, action target games, arcade-type electronic education video games, board games, card games, building games, educational card games, electronic educational game machines for children, hand held units for playing electronic games other than those adapted for use with an external display screen or monitor, promotional game cards, puzzle games; video game consoles for use with an external display screen or monitor; gymnastic and sporting articles not included in other classes, namely, sports training device to improve strength, toning, conditioning, balance, and proprioception; plush toys; plastic character toys; action figure toys; toy figures; articles of clothing for toys, attachable, wearable; magnetic toy figurines; bath toys; dolls; puppets; soft dolls; teddy bears; toy figures and play sets; action figures and accessories therefor; toy figures attachable to mobile phones, pencils or key rings; bathtub toys; ride-on toys; balls for sports and balloons; yo-yos; balls for games; playing balls; playground balls; soccer balls; baseballs; tennis balls; footballs; volley balls; rubber balls; decorations and ornaments for Christmas trees; toy vehicles; toy mobiles; surf boards; snowboards; ice skates; skateboards; toy air pistols; backgammon games; bells for Christmas trees; billiard balls; billiard tables; toy building blocks; board games; chess games; chess boards; Christmas crackers; skating boots with skates attached; bowling apparatus and machinery; building games; candle holders for Christmas trees; checkerboards; checkers; Christmas trees of synthetic materials; cups for dice; darts; dice; dolls' beds; dolls' clothes; dolls' houses; dolls' rooms; dominoes; dumb-bells; elbow guards for athletic use; chest expanders; fairground ride apparatus, namely, amusement park rides, roller coasters, carousels; dolls' feeding bottles; fish hooks; fishing tackle; flippers for swimming; floats for fishing; flying discs; automatic and coin-operated amusement game machines; bats for games; apparatus for electronic games other than those adapted for use with external display screen or monitor; electronic game equipment for playing video games, namely, handheld units for playing video games other than those adapted for use with an external display screen or monitor; golf bags; golf clubs; golf gloves; gloves for games and sports, namely, baseball gloves, golf gloves, boxing gloves, hockey gloves, bowling gloves, football gloves; practical jokes, namely, toy and novelty face masks; toy foam novelty items, namely, foam fingers and hands; kite reels; kites; knee guards for athletic use; mah-jong sets; marbles for games; marionettes; theatrical masks; toy masks; scale model vehicles; parlour games; toys, namely, percussion caps; toy pistols; rackets being tennis rackets, table tennis rackets, paddle rackets, badminton rackets, squash rackets; infant's rattles; ring	



	games; rocking horses; roller skates; sailboards; skis; slides for playgrounds; soap bubbles dispenser toys, bubble making wand and solution sets; spinning tops; spring boards; stationary exercise bicycles; play swimming pools; swimming webs, namely, flippers; swings; tables for table tennis; toys for domestic pets; water skis; play articles for swimming, water games sports and activities, namely, water pistols, water squirting toys, water globes; beach balls; amusement game machines; bags especially designed for skis and surfboards; bingo cards; butterfly nets; playing cards; confetti; in-line roller skates; kaleidoscopes; masts for sailboards; landing nets for anglers; radio-controlled toy vehicles; roulette wheels; snow globes; snowshoes; amusement apparatus for use in arcades incorporating a video monitor; stand-alone video output game machines; coin or counter operated arcade games; horizontal pinball machines; hand-held units for playing electronic games for use with external display screen or monitor; non-electric handheld action skill games; game equipment for playing board games, card games, manipulative games, parlour games, parlour-type computer games, and action-type target games; puzzles; paper face masks; toy masks, namely, masquerade and Halloween masks; water squirting toys; dartboards; surfboards; swimming aids, namely, arm floats for recreational use; swimming kick board flotation devices for recreational use; swim boards for recreational use; swim fins; toy guns; toy bakeware and toy cookware; toy snow globes; boxing gloves; hockey sticks; Christmas stockings; sling shots; paper party hats; parts and fittings for consumer video game devices; video lottery ticket terminals		
<b>International Class(es):</b>	028 - Primary Class	<b>U.S Class(es):</b>	022, 023, 038, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products excluding ice cream, ice milk and frozen yoghurt; edible oils and fats; bouillon; bouillon concentrates; broth; broth concentrates; butter; caviar; cheese, cheese snacks, namely, cottage cheese, cheese spreads; cheese in the form of dips, spreads and sticks; dairy products excluding ice cream, ice milk and frozen yogurt; frosted fruits; frozen fruits; processed and dried fruits; vegetable and fruit juices for cooking; fruit chips; processed and dried vegetables; margarine; marmalade; meat jellies; meat tinned; beverages consisting principally of milk; soybean-based food beverage used as a milk substitute; milk shakes; dairy products for making milk shakes, namely, milk; preserved mushrooms; preserved onions, preserved olives; gherkin; prepared nuts; ginger jam; pastes of liver; pate of liver; cocoa butter for food purposes; peanut butter; peanuts, processed; lentils, preserved; peas, preserved; fruit peel; potato chips; potato crisps; potato fritters; salads except macaroni, rice, and pasta salad; sauerkraut; sausages; sesame oil; preparations for making soup; soups; tofu; vegetable salads; vegetable soup preparations; whipped cream; yoghurt; processed, edible seaweed; processed, dried and preserved meat, fish, poultry and game; bacon; preparations for making bouillon; chocolate nut butter; charcuterie; ham; crystallized fruits; fish, tinned; fruit jellies; fruit salads; maize oil; olive oil for food; raisins; tomato puree; tinned fruits and vegetables; seafood not live; processed and preserved seafood; seafood, tinned; pickles		
<b>International Class(es):</b>	029 - Primary Class	<b>U.S Class(es):</b>	046
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Beers; mineral and aerated waters, fruit drinks and fruit juices; syrups and other preparations for making beverages, namely, syrup substitutes for making beverages; ales; alcoholic and non-alcoholic beers; non-alcoholic fruit drinks; non-alcoholic fruit juices; non-alcoholic fruit extracts used in the preparation of		



	beverages; non-alcoholic wines; pineapple juice beverages; aperitifs, non-alcoholic; cocktails, non-alcoholic; energy drinks; non-alcoholic beverages containing fruit juices; syrup for making fruit juices and fruit drinks; fruit nectars, non-alcoholic; whey beverages; extracts of hops for making beer; non-alcoholic honey-based beverages; ginger beers; isotonic beverages; iced fruit beverages; drinking water; vegetable juices; cola beverages; kvass; spring water; Lithia water; preparations for making liqueurs, namely, essences used in the preparation of liqueurs; lemonades; milk of almonds; peanut milk; malt beer; malt-based preparations for making beverages, namely, malt syrup; almond beverages; flavored waters; beer wort; frozen fruit beverages; lagers; pastilles for effervescing beverages; table waters; bottled water; grape juice; must; sarsaparilla; seltzer water; shandy; cider, non-alcoholic; soda water; sorbets in the form of beverages; stout; sports drinks; extracts for making beverages, namely, extracts of hops and malt for making beer; non-alcoholic fruit extracts used in the preparation of beverages; vegetable juice; soft drinks; syrups for making soft drinks	
<b>International Class(es):</b>	032 - Primary Class	<b>U.S Class(es):</b> 045, 046, 048
<b>Class Status:</b>	ACTIVE	
<b>Basis:</b>	66(a)	
<b>For:</b>	Advertising; business management; business administration; office functions. wholesale store services, retail store services, and mail order catalog services featuring games for mobile devices, games for personal computers, games for consoles, games for tablets, electronic game programs, downloadable electronic game programs, electronic game software, computer game programs, downloadable computer game programs, interactive game programs, interactive game software, protective carrying cases specially adapted for phones and handheld computers, mouse pads, party favours and festive decorations and ornaments, gifts, soaps, perfumery, essential oils, cosmetics, hair lotions, hair care products, toiletries, dentifrices, personal hygiene products, cleaning, polishing and abrasive preparations, substances for laundry use, manicure tools, nail care preparations, nail polish, nail varnish, false nails, dietetic substances, food for babies, sanitary preparations, candles, wicks, spills for lighting, greases, lubricants, oils for paints, cutlery, crockery, manicure sets, shaving instruments, razors, machines and machine tools for kitchen or household purposes, hand-held tools, films, cameras, photo discs, video recorders, audio and video tapes, records and discs, instruments and apparatus for the recording, transmitting and/or reproduction of sounds and/or images, televisions, cassette tape players and/or recorders, video cassette and/or disc players and/or recorders, radios, telephones, wireless phones, mobile phones, mobile phone cases, decorations and straps for phones, call indicators, calculating machines, calculators, electronic and computer games, cinematographic films, lights, fans, cooking utensils, cake and pastry moulds, toasters, ovens, kitchen utensils, utensils and containers for serving or storing food and/or beverages, chop sticks, cutting instruments, porcelain, chinaware, crystal ware, enamelware, silverware, glassware, terra-cotta ware, earthenware, ceramics, hair dryers, lamps, lamp shades and parts and fittings therefor, baby carriages, balloons, bicycle horns, clocks and watches and accessories and parts and fittings therefor, jewellery and imitation jewellery, ornaments, goods of precious metal or coated therewith, music boxes, musical instruments, pictures, photographs, stationery, paper and cardboard and goods made from these materials, artists materials, paint brushes, writing instruments, printed matter, books, newspapers, magazines and periodicals, greeting and Christmas cards, playing cards, packing and packaging materials, picture frames and stands, adhesives for stationery or household purposes, goods made of leather and/or imitations of leather, bags and luggage, purses and wallets, umbrellas, walking sticks, furniture, mirrors, coat hangers and pegs, boxes and containers, name plates, small household fittings, household or kitchen utensils and containers, combs, sponges, brushes, articles for cleaning purposes, spectacles, spectacle frames and sunglasses and cases and accessories therefor, textile and textile goods, bedding, and table linens and covers, napkins, table mats, furniture, haberdashery, handkerchieves, articles of children, women and men's clothing, footwear, headgear and gloves, buttons, badges, ribbons and braid, lace and embroidery, hair pins and ornaments, braces, shoe ornaments, hat ornaments, zipper and zipper fasteners, carpets, rugs and mats, toys, games and playthings, dolls, plush toys, soft dolls, figurines, sporting articles, decorations for Christmas trees, food and beverages, confectionery, floral products, matches, cigars, cigarettes and smokers'	

	articles; organization of exhibitions for commercial or advertising purposes; publication of publicity texts; sales promotion for others; arranging of fairs and exhibitions for advertising purposes; business management of performing artists; import-export agencies; compilation of information into computer databases; direct mail advertising; business management of hotels; marketing research; outdoor advertising; personnel recruitment; advertising agency services; radio advertising; television advertising; on-line advertising on a computer network; rental of advertising time on communication media; office machines and equipment rental; vending machine rental services; auctioneering	
<b>International Class(es):</b>	035 - Primary Class	<b>U.S Class(es):</b> 100, 101, 102
<b>Class Status:</b>	ACTIVE	
<b>Basis:</b>	66(a)	
<b>For:</b>	Telecommunications, namely, providing internet access via broadband, optical or wireless networks; cable television broadcasting; television broadcasting; cellular telephone communication; communications by fiber optic networks; communications by telegrams; communications by telephone; providing information on communication by telephones and cellular telephones; computer aided transmission of messages and images; electronic mail; facsimile transmission; radio broadcasting; sending of telegrams; telephone services; television broadcasting; paging services; providing telecommunications connections to a global computer network; providing user access to a global computer network as a service provider; telecommunication routing and junction services; electronic bulletin board services and providing information thereof; teleconferencing services; communication by consumer video game apparatus; providing information on communication by consumer video game apparatus; communication by arcade video game machines; providing information on communication by arcade video game machines; communication by handheld game apparatus; providing information on communication by handheld game apparatus; communication by messages and pictures by using computers; telecommunication other than broadcasting, namely, providing internet access via broadband, optical or wireless networks; broadcasting; news agency services for electronic transmission, namely, the transmission of news items to news reporting services; rental of telecommunication equipment including telephones and facsimile apparatus; rental of modems; message sending; satellite transmission; providing information on program listing of television broadcasting	
<b>International Class(es):</b>	038 - Primary Class	<b>U.S Class(es):</b> 100, 101, 104
<b>Class Status:</b>	ACTIVE	
<b>Basis:</b>	66(a)	
<b>For:</b>	Education services, namely, providing on-line classes, seminars and workshops in the field of math, social studies, science, geography, language, arts, foreign languages, writing, geology, phonics, music, and general trivia; providing on-line training courses, seminars, workshops in the field of sports, music, arts, IT and general trivia; entertainment, namely, providing non-downloadable pre-recorded digital music presented to mobile communications devices via a global computer network and wireless networks; providing non-downloadable online computer games, images, pictures, movies, music and sounds for handheld game apparatus, for arcade video game machines and for consumer video game apparatus; providing non-downloadable online computer games, images, pictures, movies, music and sounds by computer network and via communication by a computer network and via communications by cellular phones; providing entertainment information via a website in the field of electronic game programs and electronic game products; organization or arrangement of video game tournament events; rental of consumer video game apparatus and arcade video game machines; rental of handheld game apparatus; educational and instructional services in the nature of classes, workshops or seminars in the field of arts, crafts, sports and general knowledge or	

trivia; organization of sporting events, namely, swimming meets, soccer competitions, baseball competitions and hockey competitions; providing entertainment information via websites; entertainment services in the nature of creation, development, and production of cinematographic films, animation and animated films, and television programs for others; provision of pre-recorded, non-downloadable digital music online by means of MP3 websites on a global computer network, the Internet and via mobile phones and wireless electronic communication devices; providing non-downloadable digital music from the Internet, via wireless electronic communication devices; providing amusement arcades and centers; providing amusement park and theme park services; amusement arcade services; organization, production and presentation of shows, concerts, live musical performances, theatrical performances, exhibitions in the fields of art, education, culture, sports and entertainment, sports competitions, sporting and cultural activities; cabarets and variety shows featuring comedy, live musical performances and live performances showcasing talent; movie studios, discotheque services; publication of books, texts, magazines, newspapers and periodicals; library services; providing facilities for entertainment for concerts, shows featuring comedy, live musical performance, and live performances showcasing talent, performances, sports, games, recreation and cultural activities; provision of information relating to education, entertainment, amusement, recreation, sports and culture; cinematographic film and video production; rental of cine-films, cinematographic films, video tapes, laser discs, video discs and digital versatile video discs; rental of sound recordings; rental of show and stage scenery; nursery schools; providing facilities for games; arranging of beauty contests; circuses; providing education in the field of math, social studies, science, geography, language, arts, foreign languages, writing, geology, phonics, music and general trivia rendered through correspondence courses; entertainer services, namely, live, televised and movie appearances by a professional entertainment; organization of exhibitions for cultural or educational purposes; gaming services in the nature of casino gaming; gymnastic instruction; providing museum facilities for presentations and exhibitions; operating lotteries; orchestra services; party planning; scriptwriting services; entertainment in the nature of theatre productions; zoological gardens services; electronic desktop publishing; entertainment services, namely, providing online video games via a computer network; sign language interpretation; vocational guidance; microfilming for others; music composition services for others; night clubs; entertainment services, namely, providing karaoke services; providing online electronic publications in the nature of news articles for children; online electronic publishing of electronic books and journals; videotaping; bowling alleys; rental of batting stadium or dome facilities for base ball games; provision of on-line non-downloadable movies and animated cartoons via a video-on demand service and provision of on-line non-downloadable movies and animated cartoons via a global computer network

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 66(a)

### ▼ Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** Yes

**Currently 66A:** Yes

**Filed No Basis:** No**Currently No Basis:** No**▼ Current Owner(s) Information****Owner Name:** Rovio Entertainment Ltd**Owner Address:** P.O. Box 65  
FI-02151 Espoo  
FINLAND**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where  
Organized:** FINLAND**▼ Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Christine B. Redfield**Docket Number:** 31322-00071**Attorney Primary Email  
Address:** [trademarks@fenwick.com](mailto:trademarks@fenwick.com)**Attorney Email Authorized:** Yes**Correspondent****Correspondent Name/Address:** Christine B. Redfield  
Fenwick & West LLP  
801 California Street  
Silicon Valley Center  
Mountain View, CALIFORNIA UNITED STATES 94041**Phone:** (650) 988-8500**Fax:** (650) 938-5200**Correspondent e-mail:** [trademarks@fenwick.com](mailto:trademarks@fenwick.com)**Correspondent e-mail  
Authorized:** Yes**Domestic Representative****Domestic Representative Name:** Christine B. Redfield**Phone:** (650) 988-8500**Fax:** (650) 938-5200**Domestic Representative e-  
mail:** [trademarks@fenwick.com](mailto:trademarks@fenwick.com)**Domestic Representative e-mail  
Authorized:** Yes

## ▼ Prosecution History

Date	Description	Proceeding Number
Feb. 17, 2016	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Nov. 17, 2015	REGISTERED-PRINCIPAL REGISTER	
Oct. 29, 2015	CHANGE OF NAME/ADDRESS REC'D FROM IB	
Sep. 01, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 01, 2015	PUBLISHED FOR OPPOSITION	
Aug. 28, 2015	NOTIFICATION PROCESSED BY IB	
Aug. 12, 2015	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Aug. 12, 2015	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Aug. 12, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 27, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jul. 21, 2015	ASSIGNED TO LIE	66213
Jul. 08, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 30, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 30, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 30, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 30, 2015	EXAMINERS AMENDMENT -WRITTEN	67516
Jun. 05, 2015	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 05, 2015	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 02, 2015	REFUSAL PROCESSED BY IB	
Apr. 14, 2015	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Apr. 14, 2015	REFUSAL PROCESSED BY MPU	76826
Apr. 10, 2015	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Apr. 10, 2015	APPLICATION FILING RECEIPT MAILED	

Apr. 09, 2015	NON-FINAL ACTION WRITTEN	67516
Apr. 06, 2015	ASSIGNED TO EXAMINER	67516
Apr. 06, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 03, 2015	LIMITATION FROM ORIGINAL APPLICATION ENTERED	72629
Apr. 02, 2015	SN ASSIGNED FOR SECT 66A APPL FROM IB	

#### ▼ International Registration Information (Section 66a)

<b>International Registration Number:</b>	1241531	<b>International Registration Date:</b>	Aug. 22, 2013
<b>Priority Claimed Flag:</b>	Yes	<b>Date of Section 67 Priority Claim:</b>	Feb. 27, 2013
<b>Intl. Registration Status:</b>	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b>	Apr. 02, 2015
<b>Notification of Designation Date:</b>	Apr. 02, 2015	<b>Date of Automatic Protection:</b>	Oct. 02, 2016
<b>International Registration Renewal Date:</b>	Aug. 22, 2023		
<b>First Refusal Flag:</b>	Yes		

#### ▼ TM Staff and Location Information

##### TM Staff Information - None

##### File Location

<b>Current Location:</b>	PUBLICATION AND ISSUE SECTION	<b>Date in Location:</b>	Nov. 17, 2015
--------------------------	-------------------------------	--------------------------	---------------

#### ▼ Assignment Abstract Of Title Information - Click to Load

#### ▼ Proceedings - Click to Load

# EXHIBIT P



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#) | [PREV LIST](#) | [CURR LIST](#)  
[NEXT LIST](#) | [FIRST DOC](#) | [PREV DOC](#) | [NEXT DOC](#) | [LAST DOC](#)

Logout

Please logout when you are done to release system resources allocated for you.

Start

List At:

OR

Jump

to record:

**Record 6 out of 27**

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

# SBKK

#### Word Mark

**SBK**

#### Goods and Services

IC 004. US 001 006 015. G & S: Industrial oils and greases; all purpose lubricants, motor vehicle lubricants; fuels including motor spirits

IC 006. US 002 012 013 014 023 025 050. G & S: Common metals and their alloys; transportable buildings of metal; non-electric cables and wires of common metal; small items of metal hardware, namely, metal bolts, metal nuts, metal screws; pipes and tubes of metal; metal safes; goods of common metal, namely, boxes of common metal, metal cans sold empty

IC 009. US 021 023 026 036 038. G & S: Luminous and mechanical signs and signposts; anti-glare screens in the nature of anti-glare filters for televisions and computer monitors; goggles for sports, sun glasses and spectacles; cords, frames, lenses and cases for use with spectacles, sunglasses; optical apparatus, namely, security cameras for anti-intrusion and burglar alarms; remote controls for locking and unlocking doors; remote controls for turning television sets, video cassette recorders and stereos on and off; remote controls for controlling speed and directions of miniature vehicles; portable alarms and sirens used for personal security; batteries; movie, photographic and slide projectors; video cassette recorders; video and photographic cameras; exposed cinematographic films; flash bulbs; magnets; pedometers; speedometers; odometers; calculators; radios; car radios; stereo receivers, amplifiers and tuners; phonographic record players; digital audio tape players; blank digital audio tapes; television sets; telephones; cellular and radio telephones; telephone answering machines; satellite apparatus for communication purposes, namely, signal transmitters and receivers and receiving and transmitting dishes; directional or magnetic compasses; compact disc players; digitizers for converting analog signals to digital signals; electronic scoreboards and timing display apparatus; computer and electronic game programs; computer software for use in games in the field of motor sports

IC 012. US 019 021 023 031 035 044. G & S: Vehicles, namely, motorcars, motorcycles and structural parts therefor with the exclusion of mufflers, motorbikes, motorized scooters with the



exclusion of mufflers; vehicles, namely, motorcycles for motocross and parts of motorcycles with the exclusion of mufflers, namely, brake cables, clutch cables, fork bearings and races, fork dust boots, fork seals, handle bars, handle bar control levers, handle bar dampers, handle bar grips, brake calipers, brake pedals, brake rotors, front spacers, front dash panels, shift levers, headlight mounts, pneumatic tyres and inner tubes for motorcycles; apparatus for locomotion by land, namely, bicycles

IC 014. US 002 027 028 050. G & S: Precious metals and their alloys and goods in precious metals or coated therewith, namely, jewelry, badges, boxes and jewelry cases, non-monetary coins, figurines, statues, statuettes; horological and chronometric instruments; amulets, bracelets, brooches, jewelry chains, charms, tie pins, tie clips, cuff links, earrings, jewelry trinkets for key rings, medallions, necklaces, ornamental pins, pendants, trinkets in the nature of rings

IC 016. US 002 005 022 023 029 037 038 050. G & S: Printed magazines about motor sports racing, products and services and motor sport personalities; printed program books about motor sports and printed souvenir programs about motor sports; printed tickets and printed entry passes; paper articles, namely, bumper stickers, calendars, display counter units for trading cards, comic books, decals, book covers, memo pads, mounted and unmounted photographs, placemats, notebooks, three ring binders, trading cards, graphic applications for motor sports albums, laminated banners, laminated signs, and pencil bags; rubber articles, namely, erasers; pens; writing pens; pencils; paper napkins; posters; printed art picture holograms; printed souvenir programs featuring general articles and information concerning motor sports races

IC 018. US 001 002 003 022 041. G & S: Leather and imitations of leather, and goods made of leather, namely, trunks and travelling bags; umbrellas, parasols and walking sticks; backpacks; beach umbrellas; goods made of leather and imitation leather, namely, bags, bags for campers, bags for climbers, bags for packaging, bags for travel, beach bags, leather shoulder belts, boxes of leather or leather board, briefcases, business card cases, coin holders in the nature of wallets, credit card holders, dispatch bag, gym bags, handbags, key cases, luggage tags, net bags for shopping, purses, satchels, school bags, shopping bags, sport and leisure bags, leather straps, toiletry bags sold empty, tote bags, and travel and grooming cases sold empty; canes; cases of leather; garment bags for travel; luggage for travelling; rucksacks; suit carrier; suitcases

IC 025. US 022 039. G & S: Clothing, namely, shirts, knit shirts, jerseys and tank tops, t-shirts, singlets, dresses, skirts, underwear, swimwear, shorts, pants, sweaters, warm-up suits, sweatshirts, jackets, blazers, rainwear, coats, uniforms, neckties, wristbands, headbands, gloves, cloth bibs, pajamas, toddler and infant play suits, socks and hosiery; pajamas; suspenders, belts, and braces; leisurewear, namely, shirts, tee-shirts, sweatshirts, sweatpants, jackets, pants; headwear and bonnets, caps, hats, scarves, headscarves, visors and balaclavas; footwear, namely, shoes, sneakers, flip-flops, sandals; wristbands

IC 028. US 022 023 038 050. G & S: Games, toys and gymnastics and sporting articles not included in other classes, namely, board games, toy model motorcycles, toy model vehicles and toy racing tracks, jump ropes, barbells, dumbbells and exercise weights; decorations for Christmas trees

IC 032. US 045 046 048. G & S: Beers; mineral and aerated waters and other non-alcoholic drinks, namely, mineral and purified water, soft drinks, energy drinks, sports drinks, functional drinks in the nature of isotonic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages in the nature of soft drinks, energy drinks, sports drinks, functional drinks in the nature of isotonic drinks, fruit drinks and fruit juices

IC 033. US 047 049. G & S: Alcoholic beverages except beers

IC 035. US 100 101 102. G & S: Advertising, business management, business administration, office functions; retail store services featuring perfumes and cosmetics, machinery, vehicles, watches and jewels, CDs, software, hardware, videos, cameras, photographic machines, Hi-Fi stereos, electrical sensors, lamps, headlights, bags, books, newspapers, stationery, clothing, food products, tobacco products, games and sport equipment, toy models of cars, motorcycles and aircrafts, beverages, beer, wine and alcohol

IC 036. US 100 101 102. G & S: Insurance, namely, insurance agencies, insurance brokerage; financial affairs, namely, financial analyses, financial consultation; monetary affairs, namely, banking and financing services; real estate affairs, namely, real estate brokerage, real estate investment

IC 041. US 100 101 107. G & S: Educational services, namely, providing classes, seminars, workshops in the field of motor sports racing; providing training in the field of motor sports racing; entertainment in the nature of motor sports racing; arranging, organizing and staging of sports events in the nature of and motor sports racing

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 26.17.12 - Angles (geometric); Chevrons

**Serial Number** 79111859

**Filing Date** November 29, 2011

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** February 19, 2013

**Registration Number** 4329886

**International Registration Number** 1113341

**Registration Date** May 7, 2013

**Owner** (REGISTRANT) DORNA WSBK ORGANIZATION S.r.l. LIMITED LIABILITY COMPANY ITALY  
Viale Luca Gaurico, 9/11 I-00143 ROMA ITALY

**Priority Date** June 30, 2011

**Prior Registrations** 3356677;3476636;3856880;AND OTHERS

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the stylized letters "SBK" and a figurative element on the right of the letter "K".

**Type of Mark** TRADEMARK. SERVICE MARK


**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DICT</a>	<a href="#">SEARCH OG</a>	<a href="#">TOP</a>	<a href="#">HELP</a>	<a href="#">PREV LIST</a>	<a href="#">CURR LIST</a>
<a href="#">NEXT LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>					

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS	DOCUMENTS	MAINTENANCE	<a href="#">Back to Search</a>	Print
<b>Generated on:</b> This page was generated by TSDR on 2016-04-21 18:24:18 EDT				
<b>Mark:</b> SBK				
				
<b>US Serial Number:</b> 79111859		<b>Application Filing Date:</b> Nov. 29, 2011		
<b>US Registration Number:</b> 4329886		<b>Registration Date:</b> May 07, 2013		
<b>Register:</b> Principal				
<b>Mark Type:</b> Trademark, Service Mark				
<b>Status:</b> Registered. The registration date is used to determine when post-registration maintenance documents are due.				
<b>Status Date:</b> May 07, 2013				
<b>Publication Date:</b> Feb. 19, 2013				
<b>▼ Mark Information</b> <a href="#">▲ Collapse All</a>				
<b>Mark Literal Elements:</b> SBK				
<b>Standard Character Claim:</b> No				
<b>Mark Drawing Type:</b> 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)				
<b>Description of Mark:</b> The mark consists of the stylized letters "SBK" and a figurative element on the right of the letter "K".				
<b>Color(s) Claimed:</b> Color is not claimed as a feature of the mark.				
<b>Design Search Code(s):</b> 26.17.12 - Chevrons; Angles (geometric)				
<b>▼ Related Properties Information</b>				
<a href="#">1113341</a>				

<b>International Registration Number:</b>	
<b>International Registration Date:</b>	Nov. 29, 2011
<b>Claimed Ownership of US Registrations:</b>	<a href="#">3356677</a> , <a href="#">3476636</a> , <a href="#">3856880</a> and others

## ▼ Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

<b>For:</b>	Industrial oils and greases; all purpose lubricants, motor vehicle lubricants; fuels including motor spirits		
<b>International Class(es):</b>	004 - Primary Class	<b>U.S Class(es):</b>	001, 006, 015
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Common metals and their alloys; transportable buildings of metal; non-electric cables and wires of common metal; small items of metal hardware, namely, metal bolts, metal nuts, metal screws; pipes and tubes of metal; metal safes; goods of common metal, namely, boxes of common metal, metal cans sold empty		
<b>International Class(es):</b>	006 - Primary Class	<b>U.S Class(es):</b>	002, 012, 013, 014, 023, 025, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Luminous and mechanical signs and signposts; anti-glare screens in the nature of anti-glare filters for televisions and computer monitors; goggles for sports, sun glasses and spectacles; cords, frames, lenses and cases for use with spectacles, sunglasses; optical apparatus, namely, security cameras for anti-intrusion and burglar alarms; remote controls for locking and unlocking doors; remote controls for turning television sets, video cassette recorders and stereos on and off; remote controls for controlling speed and directions of miniature vehicles; portable alarms and sirens used for personal security; batteries; movie, photographic and slide projectors; video cassette recorders; video and photographic cameras; exposed cinematographic films; flash bulbs; magnets; pedometers; speedometers; odometers; calculators; radios; car radios; stereo receivers, amplifiers and tuners; phonographic record players; digital audio tape players; blank digital audio tapes; television sets; telephones; cellular and radio telephones; telephone answering machines; satellite apparatus for communication purposes, namely, signal transmitters and receivers and receiving and transmitting dishes; directional or magnetic compasses; compact disc players; digitizers for converting analog signals to digital signals; electronic scoreboards and timing display apparatus; computer and electronic game programs; computer software for use in games in the field of motor sports		
<b>International Class(es):</b>	009 - Primary Class	<b>U.S Class(es):</b>	021, 023, 026, 036, 038

<b>Class Status:</b>		ACTIVE	
<b>Basis:</b>		66(a)	
	<b>For:</b>	Vehicles, namely, motorcars, motorcycles and structural parts therefor with the exclusion of mufflers, motorbikes, motorized scooters with the exclusion of mufflers; vehicles, namely, motorcycles for motocross and parts of motorcycles with the exclusion of mufflers, namely, brake cables, clutch cables, fork bearings and races, fork dust boots, fork seals, handle bars, handle bar control levers, handle bar dampers, handle bar grips, brake calipers, brake pedals, brake rotors, front spacers, front dash panels, shift levers, headlight mounts, pneumatic tyres and inner tubes for motorcycles; apparatus for locomotion by land, namely, bicycles	
	<b>International Class(es):</b>	012 - Primary Class	<b>U.S Class(es):</b> 019, 021, 023, 031, 035, 044
	<b>Class Status:</b>	ACTIVE	
	<b>Basis:</b>	66(a)	
	<b>For:</b>	Precious metals and their alloys and goods in precious metals or coated therewith, namely, jewelry, badges, boxes and jewelry cases, non-monetary coins, figurines, statues, statuettes; horological and chronometric instruments; amulets, bracelets, brooches, jewelry chains, charms, tie pins, tie clips, cuff links, earrings, jewelry trinkets for key rings, medallions, necklaces, ornamental pins, pendants, trinkets in the nature of rings	
	<b>International Class(es):</b>	014 - Primary Class	<b>U.S Class(es):</b> 002, 027, 028, 050
	<b>Class Status:</b>	ACTIVE	
	<b>Basis:</b>	66(a)	
	<b>For:</b>	Printed magazines about motor sports racing, products and services and motor sport personalities; printed program books about motor sports and printed souvenir programs about motor sports; printed tickets and printed entry passes; paper articles, namely, bumper stickers, calendars, display counter units for trading cards, comic books, decals, book covers, memo pads, mounted and unmounted photographs, placemats, notebooks, three ring binders, trading cards, graphic applications for motor sports albums, laminated banners, laminated signs, and pencil bags; rubber articles, namely, erasers; pens; writing pens; pencils; paper napkins; posters; printed art picture holograms; printed souvenir programs featuring general articles and information concerning motor sports races	
	<b>International Class(es):</b>	016 - Primary Class	<b>U.S Class(es):</b> 002, 005, 022, 023, 029, 037, 038, 050
	<b>Class Status:</b>	ACTIVE	
	<b>Basis:</b>	66(a)	
	<b>For:</b>	Leather and imitations of leather, and goods made of leather, namely, trunks and travelling bags; umbrellas, parasols and walking sticks; backpacks; beach umbrellas; goods made of leather and imitation leather, namely, bags, bags for campers, bags for climbers, bags for packaging, bags for travel, beach bags, leather shoulder belts, boxes of leather or leather board, briefcases, business card cases, coin holders in the nature of wallets, credit card holders, dispatch bag, gym bags, handbags, key cases, luggage tags, net bags for shopping, purses, satchels, school bags, shopping bags, sport and leisure bags, leather straps, toiletry bags sold empty, tote bags, and travel and grooming cases sold empty; canes; cases of leather; garment bags for travel; luggage for travelling; rucksacks; suit carrier; suitcases	
	<b>International Class(es):</b>	018 - Primary Class	<b>U.S Class(es):</b> 001, 002, 003, 022, 041

<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Clothing, namely, shirts, knit shirts, jerseys and tank tops, t-shirts, singlets, dresses, skirts, underwear, swimwear, shorts, pants, sweaters, warm-up suits, sweatshirts, jackets, blazers, rainwear, coats, uniforms, neckties, wristbands, headbands, gloves, cloth bibs, pajamas, toddler and infant play suits, socks and hosiery; pajamas; suspenders, belts, and braces; leisurewear, namely, shirts, tee-shirts, sweatshirts, sweatpants, jackets, pants; headwear and bonnets, caps, hats, scarves, headscarves, visors and balaclavas; footwear, namely, shoes, sneakers, flip-flops, sandals; wristbands		
<b>International Class(es):</b>	025 - Primary Class	<b>U.S Class(es):</b>	022, 039
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Games, toys and gymnastics and sporting articles not included in other classes, namely, board games, toy model motorcycles, toy model vehicles and toy racing tracks, jump ropes, barbells, dumbbells and exercise weights; decorations for Christmas trees		
<b>International Class(es):</b>	028 - Primary Class	<b>U.S Class(es):</b>	022, 023, 038, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Beers; mineral and aerated waters and other non-alcoholic drinks, namely, mineral and purified water, soft drinks, energy drinks, sports drinks, functional drinks in the nature of isotonic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages in the nature of soft drinks, energy drinks, sports drinks, functional drinks in the nature of isotonic drinks, fruit drinks and fruit juices		
<b>International Class(es):</b>	032 - Primary Class	<b>U.S Class(es):</b>	045, 046, 048
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Alcoholic beverages except beers		
<b>International Class(es):</b>	033 - Primary Class	<b>U.S Class(es):</b>	047, 049
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Advertising, business management, business administration, office functions; retail store services featuring perfumes and cosmetics, machinery, vehicles, watches and jewels, CDs, software, hardware, videos, cameras, photographic machines, Hi-Fi stereos, electrical sensors, lamps, headlights, bags, books, newspapers, stationery, clothing, food products, tobacco products, games and sport equipment, toy models of cars, motorcycles and aircrafts, beverages, beer, wine and alcohol		
<b>International Class(es):</b>	035 - Primary Class	<b>U.S Class(es):</b>	100, 101, 102

<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Insurance, namely, insurance agencies, insurance brokerage; financial affairs, namely, financial analyses, financial consultation; monetary affairs, namely, banking and financing services; real estate affairs, namely, real estate brokerage, real estate investment		
<b>International Class(es):</b>	036 - Primary Class	<b>U.S Class(es):</b>	100, 101, 102
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Educational services, namely, providing classes, seminars, workshops in the field of motor sports racing; providing training in the field of motor sports racing; entertainment in the nature of motor sports racing; arranging, organizing and staging of sports events in the nature of and motor sports racing		
<b>International Class(es):</b>	041 - Primary Class	<b>U.S Class(es):</b>	100, 101, 107
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>▼ Basis Information (Case Level)</b>			
<b>Filed Use:</b>	No	<b>Currently Use:</b>	No
<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No
<b>Filed 66A:</b>	Yes	<b>Currently 66A:</b>	Yes
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No
<b>▼ Current Owner(s) Information</b>			
<b>Owner Name:</b>	DORNA WSBK ORGANIZATION S.r.l.		
<b>Owner Address:</b>	Viale Luca Gaurico, 9/11 I-00143 ROMA ITALY		
<b>Legal Entity Type:</b>	LIMITED LIABILITY COMPANY	<b>State or Country Where Organized:</b>	ITALY

▼ **Attorney/Correspondence Information****Attorney of Record - None****Correspondent**

**Correspondent** DE SIMONE & PARTNERS S.p.A.  
**Name/Address:** Via Vincenzo Bellini, 20  
 I-00198 ROMA ITALY

**Domestic Representative - Not Found**▼ **Prosecution History**

<b>Date</b>	<b>Description</b>	<b>Proceeding Number</b>
Sep. 04, 2015	CHANGE OF NAME/ADDRESS REC'D FROM IB	
Sep. 06, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Aug. 19, 2013	FINAL DISPOSITION NOTICE SENT TO IB	
Aug. 19, 2013	FINAL DISPOSITION PROCESSED	72589
Aug. 07, 2013	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jun. 28, 2013	CHANGE OF NAME/ADDRESS REC'D FROM IB	
May 07, 2013	REGISTERED-PRINCIPAL REGISTER	
Mar. 25, 2013	NOTIFICATION PROCESSED BY IB	
Feb. 19, 2013	PUBLISHED FOR OPPOSITION	
Jan. 30, 2013	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Jan. 30, 2013	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Jan. 30, 2013	NOTICE OF PUBLICATION	
Jan. 12, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Jan. 11, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 09, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 08, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 08, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 29, 2012	CHANGE OF OWNER RECEIVED FROM IB	
Sep. 04, 2012	NON-FINAL ACTION MAILED	
Aug. 31, 2012	NON-FINAL ACTION WRITTEN	82427



Aug. 04, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 03, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 03, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 13, 2012	NON-FINAL ACTION MAILED	
Jul. 12, 2012	NON-FINAL ACTION WRITTEN	82427
Jun. 19, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	70884
Jun. 19, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Jun. 14, 2012	ASSIGNED TO LIE	70884
Jun. 07, 2012	REFUSAL PROCESSED BY IB	
Jun. 01, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 15, 2012	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
May 15, 2012	REFUSAL PROCESSED BY MPU	72589
May 11, 2012	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
May 11, 2012	APPLICATION FILING RECEIPT MAILED	
May 10, 2012	NON-FINAL ACTION WRITTEN	82427
May 07, 2012	ASSIGNED TO EXAMINER	82427
May 07, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 04, 2012	LIMITATION FROM ORIGINAL APPLICATION ENTERED	67445
May 03, 2012	SN ASSIGNED FOR SECT 66A APPL FROM IB	

### ▼ International Registration Information (Section 66a)

<b>International Registration Number:</b>	1113341	<b>International Registration Date:</b>	Nov. 29, 2011
<b>Priority Claimed Flag:</b>	Yes	<b>Date of Section 67 Priority Claim:</b>	Jun. 30, 2011
<b>Intl. Registration Status:</b>	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b>	May 03, 2012
<b>Notification of Designation Date:</b>	May 03, 2012	<b>Date of Automatic Protection:</b>	Nov. 03, 2013
	Nov. 29, 2021		

<b>International Registration</b>	
<b>Renewal Date:</b>	
<b>First Refusal Flag:</b>	Yes
<b>▼ TM Staff and Location Information</b>	
<b>TM Staff Information - None</b>	
<b>File Location</b>	
<b>Current Location:</b>	PUBLICATION AND ISSUE SECTION
<b>Date in Location:</b>	May 07, 2013
<b>▼ Assignment Abstract Of Title Information - Click to Load</b>	
<b>▼ Proceedings - Click to Load</b>	

# EXHIBIT Q



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

Logout

Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)



**Word Mark**  
**Goods and Services**

**JCVD**

IC 005. US 006 018 044 046 051 052. G & S: Food supplements, particularly food supplements for human beings, food supplements for medical purposes, dietetic food supplements, protein food supplements, royal jelly food supplements, linseed food supplements, powdered mixes for fruit-flavored drinks as food supplements, anti-oxidants for use as food supplements, nutritional supplements, food supplements for controlling cholesterol, vitamin and mineral food supplements, yeast food supplements, glucose food supplements, wheat germ food supplements, food supplements consisting of vitamins, vitamins

IC 009. US 021 023 026 036 038. G & S: Spectacles; sunglasses; spectacle cases; apparatus for recording, transmitting or reproducing sound and images; blank magnetic data media, namely, blank computer disks; blank compact disks; blank videotapes; blank audio magnetic tapes; exposed cinematographic films; photography cameras

IC 025. US 022 039. G & S: Clothing, footwear, headgear, namely, training suits, gym shorts, gym suits, nightwear, beach coverups, rainwear, leather pants, leather jackets, T-shirts, sweaters, bandanas, stockings, blouses, hosiery, boots, half-boots, braces being clothing, berets, caps, baseball caps, belts, money belts, hats, chasubles, socks, shoes, shirts, short-sleeved shirts, shawls, collars, overalls, suits, ear muffs, neckties, espadrilles, scarves, fur coats and jackets, gabardine coats, gloves, waistcoats, jerseys, skirts, slips, slippers, robes, parkas, pocket squares, ponchos, pullovers, pajamas, dresses, clogs, sandals, bath sandals, gymnastic shoes, sports shoes, knitwear in the form of knit tops and knit bottoms, jackets

IC 032. US 045 046 048. G & S: Non-alcoholic malt beverages, non-alcoholic beverages containing fruit juices, non-alcoholic beer flavored beverages, energy drinks, sports beverages, powders for making sports drinks, preparations for making sports drinks, preparations for manufacturing sports drinks, concentrates used in the preparation of sports drinks, non-alcoholic beverages with a low calorie count, namely, diet sports drinks

IC 033. US 047 049. G & S: Alcoholic beverages except beers, alcoholic energy drinks, wines, wines protected by the appellation of origin "Champagne"

**Mark Drawing Code** (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Serial Number** 79128445

**Filing Date** February 21, 2013

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** February 25, 2014

**Registration Number** 4527442

**International Registration Number** 1155867

**Registration Date** May 13, 2014

**Owner** (REGISTRANT) JEAN-CLAUDE VAN VAREMBERG also known as JEAN-CLAUDE VAN DAMME  
INDIVIDUAL BELGIUM The Harbourside, Union Square 1 Austin Road West, Tower 2, Floor 75  
A&B, Kowloon, Tsim Sha Tsui Hong Kong CHINA

**Attorney of Record** Burton S. Ehrlich

**Priority Date** October 3, 2012

**Description of Mark** Color is not claimed as a feature of the mark.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS

DOCUMENTS

MAINTENANCE

[Back to Search](#)

Print

**Generated on:** This page was generated by TSDR on 2016-04-21 18:25:03 EDT

**Mark:** JCVD



**US Serial Number:** 79128445

**Application Filing Date:** Feb. 21, 2013

**US Registration Number:** 4527442

**Registration Date:** May 13, 2014

**Register:** Principal

**Mark Type:** Trademark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** May 13, 2014

**Publication Date:** Feb. 25, 2014

## ▼ Mark Information

[▲ Collapse All](#)

**Mark Literal Elements:** JCVD

**Standard Character Claim:** No

**Mark Drawing Type:** 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

**Color(s) Claimed:** Color is not claimed as a feature of the mark.

## ▼ Related Properties Information

International Registration Number: [1155867](#)

International Registration Date: Feb. 21, 2013

## ▼ Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Food supplements, particularly food supplements for human beings, food supplements for medical purposes, dietetic food supplements, protein food supplements, royal jelly food supplements, linseed food supplements, powdered mixes for fruit-flavored drinks as food supplements, anti-oxidants for use as food supplements, nutritional supplements, food supplements for controlling cholesterol, vitamin and mineral food supplements, yeast food supplements, glucose food supplements, wheat germ food supplements, food supplements consisting of vitamins, vitamins

**International Class(es):** 005 - Primary Class

**U.S Class(es):** 006, 018, 044, 046, 051, 052

**Class Status:** ACTIVE

**Basis:** 66(a)

**For:** Spectacles; sunglasses; spectacle cases; apparatus for recording, transmitting or reproducing sound and images; blank magnetic data media, namely, blank computer disks; blank compact disks; blank videotapes; blank audio magnetic tapes; exposed cinematographic films; photography cameras

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

**Class Status:** ACTIVE

**Basis:** 66(a)

**For:** Clothing, footwear, headgear, namely, training suits, gym shorts, gym suits, nightwear, beach coverups, rainwear, leather pants, leather jackets, T-shirts, sweaters, bandanas, stockings, blouses, hosiery, boots, half-boots, braces being clothing, berets, caps, baseball caps, belts, money belts, hats, chasubles, socks, shoes, shirts, short-sleeved shirts, shawls, collars, overalls, suits, ear muffs, neckties, espadrilles, scarves, fur coats and jackets, gabardine coats, gloves, waistcoats, jerseys, skirts, slippers, robes, parkas, pocket squares, ponchos, pullovers, pajamas, dresses, clogs, sandals, bath sandals, gymnastic shoes, sports shoes, knitwear in the form of knit tops and knit bottoms, jackets

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Non-alcoholic malt beverages, non-alcoholic beverages containing fruit juices, non-alcoholic beer flavored beverages, energy drinks, sports beverages, powders for making sports drinks, preparations for making sports drinks, preparations for manufacturing sports drinks, concentrates used in the preparation of sports drinks, non-alcoholic beverages with a low calorie count, namely, diet sports drinks		
<b>International Class(es):</b>	032 - Primary Class	<b>U.S Class(es):</b>	045, 046, 048
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		
<b>For:</b>	Alcoholic beverages except beers, alcoholic energy drinks, wines, wines protected by the appellation of origin "Champagne"		
<b>International Class(es):</b>	033 - Primary Class	<b>U.S Class(es):</b>	047, 049
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	66(a)		

#### ▼ Basis Information (Case Level)

<b>Filed Use:</b>	No	<b>Currently Use:</b>	No	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	Yes	<b>Currently 66A:</b>	Yes		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

#### ▼ Current Owner(s) Information

<b>Owner Name:</b>	JEAN-CLAUDE VAN VARENBERG also known as JEAN-CLAUDE VAN DAMME				
<b>Owner Address:</b>	The Harbourside, Union Square 1 Austin Road West, Tower 2, Floor 75 A& B, Kowloon, Tsim Sha Tsui Hong Kong CHINA				



**Legal Entity Type:** INDIVIDUAL**Citizenship:** BELGIUM▼ **Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Burton S. Ehrlich**Attorney Primary Email Address:** [CHIUSTM@LADAS.NET](mailto:CHIUSTM@LADAS.NET)**Attorney Email Authorized:** Yes**Correspondent****Correspondent Name/Address:** Burton S. Ehrlich  
Ladas & Parry LLP  
224 S. Michigan Avenue  
Suite 1600  
Chicago, ILLINOIS UNITED STATES 60604**Phone:** 312-427-1300**Fax:** 312-427-6663**Correspondent e-mail:** [CHIUSTM@LADAS.NET](mailto:CHIUSTM@LADAS.NET)**Correspondent e-mail Authorized:** Yes**Domestic Representative****Domestic Representative Name:** Burton S. Ehrlich**Phone:** 312-427-1300**Fax:** 312-427-6663**Domestic Representative e-mail:** [CHIUSTM@LADAS.NET](mailto:CHIUSTM@LADAS.NET)**Domestic Representative e-mail Authorized:** Yes▼ **Prosecution History**

Date	Description	Proceeding Number
Oct. 31, 2014	FINAL DECISION TRANSACTION PROCESSED BY IB	
Sep. 24, 2014	FINAL DISPOSITION NOTICE SENT TO IB	
Sep. 24, 2014	FINAL DISPOSITION PROCESSED	72629
Aug. 13, 2014	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	

May 13, 2014	REGISTERED-PRINCIPAL REGISTER	
Feb. 25, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 25, 2014	PUBLISHED FOR OPPOSITION	
Feb. 22, 2014	NOTIFICATION PROCESSED BY IB	
Feb. 05, 2014	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Feb. 05, 2014	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Feb. 05, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 23, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jan. 23, 2014	ASSIGNED TO LIE	66213
Dec. 30, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 19, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 19, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 19, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 09, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 09, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 07, 2013	REFUSAL PROCESSED BY IB	
Jun. 19, 2013	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Jun. 19, 2013	REFUSAL PROCESSED BY MPU	67445
Jun. 18, 2013	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Jun. 17, 2013	NON-FINAL ACTION WRITTEN	74784
Jun. 06, 2013	ASSIGNED TO EXAMINER	74784
Apr. 30, 2013	APPLICATION FILING RECEIPT MAILED	
Apr. 26, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 25, 2013	SN ASSIGNED FOR SECT 66A APPL FROM IB	

#### ▼ International Registration Information (Section 66a)

<b>International Registration Number:</b>	1155867	<b>International Registration Date:</b>	Feb. 21, 2013
<b>Priority Claimed Flag:</b>	Yes	<b>Date of Section 67 Priority Claim:</b>	Oct. 03, 2012
<b>Intl. Registration Status:</b>	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b>	Apr. 25, 2013
<b>Notification of Designation Date:</b>	Apr. 25, 2013	<b>Date of Automatic Protection:</b>	Oct. 25, 2014
<b>International Registration Renewal Date:</b>	Feb. 21, 2023		
<b>First Refusal Flag:</b>	Yes		

#### ▼ **TM Staff and Location Information**

**TM Staff Information - None**

#### **File Location**

<b>Current Location:</b>	PUBLICATION AND ISSUE SECTION	<b>Date in Location:</b>	May 13, 2014
--------------------------	-------------------------------	--------------------------	--------------

#### ▼ **Assignment Abstract Of Title Information - Click to Load**

#### ▼ **Proceedings - Click to Load**

# EXHIBIT R



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 20 03:21:03 EDT 2016

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#) | [PREV LIST](#) | [CURR LIST](#)  
[NEXT LIST](#) | [FIRST DOC](#) | [PREV DOC](#) | [NEXT DOC](#) | [LAST DOC](#)

Logout

Please logout when you are done to release system resources allocated for you.

Start

List At:

OR

Jump

to record:

**Record 1 out of 4**

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)



**Word Mark** FIVB

**Goods and Services**

IC 009. US 021 023 026 036 038. G & S: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking, supervision, life-saving and teaching apparatus and instruments, namely, laboratory glassware, marking and signalling buoys, surveying chains, optical glasses, weighing scales, instruments for measuring length, signal bells, apparatus for checking flight parameters, life saving rafts, medical teaching mannequins; magnetic encoded identification bracelets; electronic instrument assemblies, namely, logic analyzers; scientific apparatus and instruments for analyzing fuel and air coefficients; remote-control units for locking cars; photographic and cinematographic apparatus and instruments, namely, cameras, cinematographic machines and apparatus, cinematographic projectors, photographic projectors, picture projectors, slide projectors, movie projectors, video projectors, flash lamps, specially adapted cases for photographic apparatus and instruments, and cables for photographic apparatus and instruments for the transmission of audio and video signals; alarms, namely, smoke alarms, fire alarms, personal security alarms, sound alarms and burglar alarms; Wind socks for indicating wind direction and intensity; distance measuring equipment, namely, sensors for the determination of distances; electronic speed measuring and displaying indicators; protective work gloves; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric conductors, electric switches, electric transformers, electric accumulators, voltage regulators for electric power, and electric controllers; rechargeable batteries; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers, prerecorded magnetic data carriers featuring sounds and images featuring sports; recording discs, namely, blank recordable optical discs; recording discs, namely, optical discs featuring information about sports; automatic vending machines and mechanisms for coin-operated apparatus. cash registers, calculating machines, data processing equipment and computers; fire extinguishers; protective helmets for sports; spectacles, sunglasses, sports eyewear; software for editing and mixing sounds and video images; operating software for navigation systems; software for personal digital assistants (PDAs), namely, word processing, image conversion, and transmission of news, videos and images; software

for electronic pocket translators, namely, operating software and software for performing translations using the devices; computer screen-saver programs; software which can convert, supply and transmit audio and video data; software for computer games

IC 012. US 019 021 023 031 035 044. G & S: Vehicles, namely, bicycles, motorcycles, automobiles, lorries, pickup trucks, motor buses, caravans, refrigerated vehicles, aircraft and boats; apparatus for locomotion by land, air or water, namely, air balloons, namely, vehicular balloons and aerostats; airships, prams, pushchairs, sport utility vehicles, trailers

IC 014. US 002 027 028 050. G & S: Precious metals and their alloys and goods made of or coated with these materials not included in other classes, namely, commemorative coins and medals, trophies, trophies being prize cups, statues, sculptures, key rings, trinkets being key rings, key fobs and watch fobs, and collectible coins and non-monetary coins; tie clips and tie pins; cuff links; medallions, pendants and brooches; jewellery, precious stones; lapel pins; horological and chronometric instruments

IC 025. US 022 039. G & S: Clothing, namely, jerseys, jogging suits, track pants, cotton trunks, house robes, rain wear, bandanas, mufflers, suspenders, sweatbands, neckwear, ties, shirts, sport shirts, polo shirts, tops, jumpers, fleece jackets, pullovers, sleeveless pullovers, sleeveless blouses, t-shirts, waistcoats, singlets, sleeveless jerseys, dresses, skirts, underwear, bathing suits, bikinis, swimwear, bath-robes, shorts, trousers, sweaters, sashes for wear, scarves, shawls, tracksuits, sweat-shirts, jackets, sports jackets, stadium vests, blazers, coats, uniforms, neckties, wrist bands, gloves, aprons, bibs not of paper, night wear, pajamas, play suits for infants and children, socks and stockings, garters, belts, braces; knitwear clothing, namely, knit bottoms, knit dresses, knit jackets, knit shirts, knit skirts, knit tops, polo knit tops; waterproof clothing, namely, waterproof jackets and pants; footwear; headgear, namely, visors, hats, caps, bonnets, headwear, peaked caps, knitted caps, headbands for clothing

IC 028. US 022 023 038 050. G & S: Games, namely, parlour games, board games, playing cards, electronic games other than those designed to be used only with television sets; playthings, namely, dolls, bath toys, construction toys, disc toss toys; play balloons, balloons, cuddly toys, namely, stuffed and plush toys and stuffed dolls and animals; toy vehicles; puzzles; balls, namely, balls for games, inflatable toys; toys, namely, disk sets in the form of small disks to toss in playing a game wherein other disks are flipped and collected; novelty toy hands made of rubber or of foam; robots for entertainment, namely, toy robots; kites; roller-skates; toy scooters; skateboards; plastic party hats; gymnastic and sporting articles not included in other classes, namely, nets for sports, sport balls, volleyball balls; gymnastic apparatus; knee guards, elbow guards, shoulder pads, and shin guards for athletic use; Sporting articles, namely, bags specially adapted for sports equipment

IC 032. US 045 046 048. G & S: Beers; mineral waters; aerated waters; non-alcoholic drinks, namely, fruit and vegetable drinks, fruit and vegetable juices, soft drinks, low calorie soft drinks, herbal juices, health and wellness drinks in the nature of fruit drinks and lemonades, flavored waters, isotonic beverages, iced fruit beverages; Syrups and other preparations for making beverages, namely, concentrates, syrups, and powders used in the preparation of soft drinks, fruit drinks, sports drinks, and energy drinks

IC 035. US 100 101 102. G & S: Advertising services; dissemination of advertising matter using all media, especially in the form of topic-based messages centered on human values; advertising by means of sponsoring, namely, promotional sponsorship of international athletic competitions in the field of volleyball and beach volleyball; business management; business administration assistance; providing office functions; advertising and promotional services, namely, promotion of the goods and services of third parties, through contractual agreements, namely, promotional sponsorship partnerships and licenses, which offer said third-parties an augmentation of brand awareness, image strength and sympathy gained through promotional affiliations with cultural and sports events, particularly international sports events, particularly in the field of volleyball and beach volleyball; advertising and promotional services, namely, promotion of the goods and services of third parties by means of sparking the interest of the public to choose from a plurality of competitors, goods or services presented to them marked with specific symbols, emblems or messages intended to capture their attention; advertising and promotional services, namely, promotion of the goods and services of third parties using image transfer; rental of advertising space of all kinds and on any type of media, in digital or other form; business administration of the participation by national teams in an international athletic competition and advertising and promotional services to generate support for said teams by

the public and circles concerned; statistical information services, namely, providing statistical information for business or commercial purposes; organizing of competitions, namely, organizing of business competitions; operating sports facilities for others

IC 036. US 100 101 102. G & S: Insurance, namely, insurance agencies, insurance brokerage, and insurance administration; financial affairs, namely, financial management, financing services and credit risk management, financial sponsorship search for volleyball and beach volleyball competitions; information services concerning finance and insurance, provided from a computer database or by Internet or on any wireless electronic communication network; banking; monetary affairs, namely, financial management, foreign exchange transactions; real estate affairs, namely, providing information in the field of real estate via the Internet, leasing of real estate and real estate brokerage; credit card services; financial sponsorship of sporting and cultural activities; financing services, namely, hire-purchase financing of telephone, apparatus, facsimile machines and other communications equipment; arranging of leases and rental agreements for real estate, namely, rental of property and accessory buildings prepared to receive corporate entertainment events

IC 041. US 100 101 107. G & S: Education services, namely, providing classes, seminars, workshops and training courses in the field of volleyball and beach volleyball, volleyball and beach volleyball coaching and volleyball and beach volleyball officiating; providing of training in the field of volleyball and beach volleyball, volleyball and beach volleyball coaching and volleyball and beach volleyball officiating; entertainment services, namely, conducting raffles and contests for entertainment purposes; entertainment services, namely, providing a web site featuring photographs, and audio and video recordings featuring volleyball and beach volleyball; sporting and cultural activities, namely, conducting entertainment exhibitions in the nature of international volleyball and beach volleyball competitions, volleyball and beach volleyball games and tournaments; production of television programs, namely, televised cultural and sporting entertainment; organization of exhibitions for cultural and educational purposes; operating lotteries; organizing of sport competitions; gambling services, namely, betting and gaming services linked to or in connection with sports; entertainment services provided at sports events or concerning sports events, namely, participation in volleyball and beach volleyball games, entertainment in the nature of laser shows, light shows, audio and visual performances, live performances by a musical band, preparation of special effects, and fireworks displays; organization of community sporting and cultural activities and events; organizing real and virtual sports competitions, namely, volleyball and beach volleyball competitions; audio and video equipment rental services; production, presentation and distribution of films and video and audio recordings; rental of films and video and sound recordings. rental of interactive educational and entertainment products from a computer network, namely, interactive compact discs, CD-ROMs, computer games; providing temporary use of non-downloadable computer games; coverage of radio transmitted and televised sports events, namely, production of radio and television programs; production of radio and television programs and videotape editing services; production of television programs, namely, cartoons; production of animation programs for television; ticket booking services for shows and sports events; timing of sports events; arranging of beauty contests; interactive entertainment, namely, providing of an online quiz game in the fields of volleyball and beach volleyball, interactive entertainment in the nature of fantasy sports leagues; online betting services; providing electronic computer games on the Internet; providing lottery services, namely, tombola services; information on entertainment and education, provided online from a data bank or from the Internet; electronic games services provided through the Internet; providing online non-downloadable electronic publications in the nature of flyers, books, magazines, newsletters, calendars, journals in the field of national and international volleyball and beach volleyball competitions; publication of books, magazines and text books other than advertising texts and periodicals; publication of books, magazines and text books other than advertising texts, and of electronic magazines online; provision of non-downloadable pre-recorded digital music from the Internet; providing non-downloadable pre-recorded digital music from Internet MP3 Web sites; providing information in the field of sports, namely, sports results; information services in connection with sport and sports events, namely, providing information in the field of sports; rental of recorded sounds and images. audio production services; information services about sports events provided online from a computer database or from the Internet; editing services, namely, written text editing, film editing, photo editing; publishing services, namely, publishing of electronic publications, music publishing services, and digital video, audio, and multimedia publishing services, book publishing, online electronic publishing of books and newspapers; providing non-downloadable prerecorded digital music; offering digital music via telecommunications, namely, providing non-downloadable prerecorded digital music via the Internet

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Mark Drawing Code**  
**Design Search Code** 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved  
**Serial Number** 85269315  
**Filing Date** March 17, 2011  
**Current Basis** 44E  
**Original Filing Basis** 44D  
**Published for Opposition** September 4, 2012  
**Registration Number** 4244266  
**Registration Date** November 20, 2012  
**Owner** (REGISTRANT) Fédération Internationale de Volleyball incorporated association SWITZERLAND  
ChateauLesTourellesCh.Edouard Sandoz 2-4 1006 Lausanne SWITZERLAND  
**Attorney of Record** Frank J. Colucci  
**Priority Date** September 17, 2010  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the letters "F", "I", "V" and "B" in stylized formats directly over a single arching line.  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

---


<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DICT</a>	<a href="#">SEARCH OG</a>	<a href="#">TOP</a>	<a href="#">HELP</a>	<a href="#">PREV LIST</a>	<a href="#">CURR LIST</a>
<a href="#">NEXT LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>					

---

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



On April 22, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml) . Questions may be directed to [the TSDR Mailbox](#) .

STATUS	DOCUMENTS	MAINTENANCE	<a href="#">Back to Search</a>	Print
<b>Generated on:</b> This page was generated by TSDR on 2016-04-21 18:25:57 EDT				
<b>Mark:</b> FIVB				
<b>US Serial Number:</b> 85269315		<b>Application Filing Date:</b> Mar. 17, 2011		
<b>US Registration Number:</b> 4244266		<b>Registration Date:</b> Nov. 20, 2012		
<b>Register:</b> Principal				
<b>Mark Type:</b> Trademark, Service Mark				
<b>Status:</b> Registered. The registration date is used to determine when post-registration maintenance documents are due.				
<b>Status Date:</b> Nov. 20, 2012				
<b>Publication Date:</b> Sep. 04, 2012				
<b>▼ Mark Information</b> <span>▲ Collapse All</span>				
<b>Mark Literal Elements:</b> FIVB				
<b>Standard Character Claim:</b> No				
<b>Mark Drawing Type:</b> 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)				
<b>Description of Mark:</b> The mark consists of the letters "F", "I", "V" and "B" in stylized formats directly over a single arching line.				
<b>Color(s) Claimed:</b> Color is not claimed as a feature of the mark.				
<b>Design Search Code(s):</b> 26.17.09 - Bands, curved; Lines, curved; Curved line(s), band(s) or bar(s); Bars, curved				

## ▼ Foreign Information

<b>Priority Claimed:</b>	Yes		
<b>Foreign Application Number:</b>	59863/2010	<b>Foreign Application Filing Date:</b>	Sep. 17, 2010
<b>Foreign Registration Number:</b>	612250	<b>Foreign Registration Date:</b>	Mar. 25, 2011
<b>Foreign Application/Registration Country:</b>	SWITZERLAND	<b>Foreign Expiration Date:</b>	Sep. 17, 2020

## ▼ Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*...\* identify additional (new) wording in the goods/services.

**For:** Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking, supervision, life-saving and teaching apparatus and instruments, namely, laboratory glassware, marking and signalling buoys, surveying chains, optical glasses, weighing scales, instruments for measuring length, signal bells, apparatus for checking flight parameters, life saving rafts, medical teaching mannequins; magnetic encoded identification bracelets; electronic instrument assemblies, namely, logic analyzers; scientific apparatus and instruments for analyzing fuel and air coefficients; remote-control units for locking cars; photographic and cinematographic apparatus and instruments, namely, cameras, cinematographic machines and apparatus, cinematographic projectors, photographic projectors, picture projectors, slide projectors, movie projectors, video projectors, flash lamps, specially adapted cases for photographic apparatus and instruments, and cables for photographic apparatus and instruments for the transmission of audio and video signals; alarms, namely, smoke alarms, fire alarms, personal security alarms, sound alarms and burglar alarms; Wind socks for indicating wind direction and intensity; distance measuring equipment, namely, sensors for the determination of distances; electronic speed measuring and displaying indicators; protective work gloves; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric conductors, electric switches, electric transformers, electric accumulators, voltage regulators for electric power, and electric controllers; rechargeable batteries; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers, prerecorded magnetic data carriers featuring sounds and images featuring sports; recording discs, namely, blank recordable optical discs; recording discs, namely, optical discs featuring information about sports; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire extinguishers; protective helmets for sports; spectacles, sunglasses, sports eyewear; software for editing and mixing sounds and video images; operating software for navigation systems; software for personal digital assistants (PDAs), namely, word processing, image conversion, and transmission of news, videos and images; software for electronic pocket translators, namely, operating software and software for performing translations using the devices; computer screen-saver programs; software which can convert, supply and transmit audio and video data; software for computer games

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Vehicles, namely, bicycles, motorcycles, automobiles, lorries, pickup trucks, motor buses, caravans, refrigerated vehicles, aircraft and boats; apparatus for locomotion by land, air or water, namely, air balloons, namely, vehicular balloons and aerostats; airships, prams, pushchairs, sport utility vehicles, trailers		
<b>International Class(es):</b>	012 - Primary Class	<b>U.S Class(es):</b>	019, 021, 023, 031, 035, 044
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Precious metals and their alloys and goods made of or coated with these materials not included in other classes, namely, commemorative coins and medals, trophies, trophies being prize cups, statues, sculptures, key rings, trinkets being key rings, key fobs and watch fobs, and collectible coins and non-monetary coins; tie clips and tie pins; cuff links; medallions, pendants and brooches; jewellery, precious stones; lapel pins; horological and chronometric instruments		
<b>International Class(es):</b>	014 - Primary Class	<b>U.S Class(es):</b>	002, 027, 028, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Clothing, namely, jerseys, jogging suits, track pants, cotton trunks, house robes, rain wear, bandanas, mufflers, suspenders, sweatbands, neckwear, ties, shirts, sport shirts, polo shirts, tops, jumpers, fleece jackets, pullovers, sleeveless pullovers, sleeveless blouses, t-shirts, waistcoats, singlets, sleeveless jerseys, dresses, skirts, underwear, bathing suits, bikinis, swimwear, bath-robes, shorts, trousers, sweaters, sashes for wear, scarves, shawls, tracksuits, sweat-shirts, jackets, sports jackets, stadium vests, blazers, coats, uniforms, neckties, wrist bands, gloves, aprons, bibs not of paper, night wear, pajamas, play suits for infants and children, socks and stockings, garters, belts, braces; knitwear clothing, namely, knit bottoms, knit dresses, knit jackets, knit shirts, knit skirts, knit tops, polo knit tops; waterproof clothing, namely, waterproof jackets and pants; footwear; headgear, namely, visors, hats, caps, bonnets, headwear, peaked caps, knitted caps, headbands for clothing		
<b>International Class(es):</b>	025 - Primary Class	<b>U.S Class(es):</b>	022, 039
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Games, namely, parlour games, board games, playing cards, electronic games other than those designed to be used only with television sets; playthings, namely, dolls, bath toys, construction toys, disc toss toys; play balloons, balloons, cuddly toys, namely, stuffed and plush toys and stuffed dolls and animals; toy vehicles; puzzles; balls, namely, balls for games, inflatable toys; toys, namely, disk sets in the form of small disks to toss in playing a game wherein other disks are flipped and collected; novelty toy hands made of rubber or of foam; robots for entertainment, namely, toy robots; kites; roller-skates; toy scooters; skateboards; plastic party hats; gymnastic and sporting articles not included in other classes, namely, nets for sports, sport balls, volleyball balls; gymnastic apparatus; knee guards, elbow guards, shoulder pads, and shin guards for athletic use; Sporting articles, namely, bags specially adapted for sports equipment		

<b>International Class(es):</b>	028 - Primary Class	<b>U.S Class(es):</b>	022, 023, 038, 050
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Beers; mineral waters; aerated waters; non-alcoholic drinks, namely, fruit and vegetable drinks, fruit and vegetable juices, soft drinks, low calorie soft drinks, herbal juices, health and wellness drinks in the nature of fruit drinks and lemonades, flavored waters, isotonic beverages, iced fruit beverages; Syrups and other preparations for making beverages, namely, concentrates, syrups, and powders used in the preparation of soft drinks, fruit drinks, sports drinks, and energy drinks		
<b>International Class(es):</b>	032 - Primary Class	<b>U.S Class(es):</b>	045, 046, 048
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Advertising services; dissemination of advertising matter using all media, especially in the form of topic-based messages centered on human values; advertising by means of sponsoring, namely, promotional sponsorship of international athletic competitions in the field of volleyball and beach volleyball; business management; business administration assistance; providing office functions; advertising and promotional services, namely, promotion of the goods and services of third parties, through contractual agreements, namely, promotional sponsorship partnerships and licenses, which offer said third-parties an augmentation of brand awareness, image strength and sympathy gained through promotional affiliations with cultural and sports events, particularly international sports events, particularly in the field of volleyball and beach volleyball; advertising and promotional services, namely, promotion of the goods and services of third parties by means of sparking the interest of the public to choose from a plurality of competitors, goods or services presented to them marked with specific symbols, emblems or messages intended to capture their attention; advertising and promotional services, namely, promotion of the goods and services of third parties using image transfer; rental of advertising space of all kinds and on any type of media, in digital or other form; business administration of the participation by national teams in an international athletic competition and advertising and promotional services to generate support for said teams by the public and circles concerned; statistical information services, namely, providing statistical information for business or commercial purposes; organizing of competitions, namely, organizing of business competitions; operating sports facilities for others		
<b>International Class(es):</b>	035 - Primary Class	<b>U.S Class(es):</b>	100, 101, 102
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	Insurance, namely, insurance agencies, insurance brokerage, and insurance administration; financial affairs, namely, financial management, financing services and credit risk management, financial sponsorship search for volleyball and beach volleyball competitions; information services concerning finance and insurance, provided from a computer database or by Internet or on any wireless electronic communication network; banking; monetary affairs, namely, financial management, foreign exchange transactions; real estate affairs, namely, providing information in the field of real estate via the Internet, leasing of real estate and real estate brokerage; credit card services; financial sponsorship of sporting and cultural activities; financing services, namely, hire-purchase financing of telephone, apparatus, facsimile machines and other communications equipment; arranging of leases and rental agreements for real estate, namely, rental of property and accessory buildings prepared to receive corporate entertainment events		

<b>International Class(es):</b>	036 - Primary Class	<b>U.S Class(es):</b>	100, 101, 102
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		
<b>For:</b>	<p>Education services, namely, providing classes, seminars, workshops and training courses in the field of volleyball and beach volleyball, volleyball and beach volleyball coaching and volleyball and beach volleyball officiating; providing of training in the field of volleyball and beach volleyball, volleyball and beach volleyball coaching and volleyball and beach volleyball officiating; entertainment services, namely, conducting raffles and contests for entertainment purposes; entertainment services, namely, providing a web site featuring photographs, and audio and video recordings featuring volleyball and beach volleyball; sporting and cultural activities, namely, conducting entertainment exhibitions in the nature of international volleyball and beach volleyball competitions, volleyball and beach volleyball games and tournaments; production of television programs, namely, televised cultural and sporting entertainment; organization of exhibitions for cultural and educational purposes; operating lotteries; organizing of sport competitions; gambling services, namely, betting and gaming services linked to or in connection with sports; entertainment services provided at sports events or concerning sports events, namely, participation in volleyball and beach volleyball games, entertainment in the nature of laser shows, light shows, audio and visual performances, live performances by a musical band, preparation of special effects, and fireworks displays; organization of community sporting and cultural activities and events; organizing real and virtual sports competitions, namely, volleyball and beach volleyball competitions; audio and video equipment rental services; production, presentation and distribution of films and video and audio recordings; rental of films and video and sound recordings; rental of interactive educational and entertainment products from a computer network, namely, interactive compact discs, CD-ROMs, computer games; providing temporary use of non-downloadable computer games; coverage of radio transmitted and televised sports events, namely, production of radio and television programs; production of radio and television programs and videotape editing services; production of television programs, namely, cartoons; production of animation programs for television; ticket booking services for shows and sports events; timing of sports events; arranging of beauty contests; interactive entertainment, namely, providing of an online quiz game in the fields of volleyball and beach volleyball, interactive entertainment in the nature of fantasy sports leagues; online betting services; providing electronic computer games on the Internet; providing lottery services, namely, tombola services; information on entertainment and education, provided online from a data bank or from the Internet; electronic games services provided through the Internet; providing online non-downloadable electronic publications in the nature of flyers, books, magazines, newsletters, calendars, journals in the field of national and international volleyball and beach volleyball competitions; publication of books, magazines and text books other than advertising texts and periodicals; publication of books, magazines and text books other than advertising texts, and of electronic magazines online; provision of non-downloadable pre-recorded digital music from the Internet; providing non-downloadable pre-recorded digital music from Internet MP3 Web sites; providing information in the field of sports, namely, sports results; information services in connection with sport and sports events, namely, providing information in the field of sports; rental of recorded sounds and images; audio production services; information services about sports events provided online from a computer database or from the Internet; editing services, namely, written text editing, film editing, photo editing; publishing services, namely, publishing of electronic publications, music publishing services, and digital video, audio, and multimedia publishing services, book publishing, online electronic publishing of books and newspapers; providing non-downloadable prerecorded digital music; offering digital music via telecommunications, namely, providing non-downloadable prerecorded digital music via the Internet</p>		
<b>International Class(es):</b>	041 - Primary Class	<b>U.S Class(es):</b>	100, 101, 107
<b>Class Status:</b>	ACTIVE		
<b>Basis:</b>	44(e)		

▼ **Basis Information (Case Level)**

<b>Filed Use:</b>	No	<b>Currently Use:</b>	No	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	No	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	Yes	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	Yes	<b>Amended 44E:</b>	Yes
<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

▼ **Current Owner(s) Information**

<b>Owner Name:</b>	Fédération Internationale de Volleyball				
<b>Owner Address:</b>	ChateauLesTourellesCh.Edouard Sandoz 2-4 1006 Lausanne SWITZERLAND				
<b>Legal Entity Type:</b>	incorporated association	<b>State or Country Where Organized:</b>	SWITZERLAND		

▼ **Attorney/Correspondence Information****Attorney of Record**

<b>Attorney Name:</b>	Frank J. Colucci	<b>Docket Number:</b>	D620-036
-----------------------	------------------	-----------------------	----------

**Correspondent**

<b>Correspondent Name/Address:</b>	FRANK J. COLUCCI Colucci & Umans 825 Third Avenue, Second Floor New York, NEW YORK UNITED STATES 10022				
<b>Phone:</b>	212-935-5700	<b>Fax:</b>	212-935-5728		
<b>Correspondent e-mail:</b>	<a href="mailto:email@colucci-umans.com">email@colucci-umans.com</a>	<b>Correspondent e-mail Authorized:</b>	Yes		

**Domestic Representative**

<b>Domestic Representative Name:</b>	Frank J. Colucci	<b>Phone:</b>	(212) 935-5700
	<b>Fax:</b>		

## ▼ Prosecution History

Date	Description	Proceeding Number
Mar. 30, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 20, 2012	REGISTERED-PRINCIPAL REGISTER	
Sep. 04, 2012	PUBLISHED FOR OPPOSITION	
Aug. 15, 2012	NOTICE OF PUBLICATION	
Jul. 31, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Jul. 24, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 24, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	73296
Jul. 24, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	73296
Jul. 13, 2012	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Jan. 17, 2012	FINAL REFUSAL MAILED	
Jan. 15, 2012	FINAL REFUSAL WRITTEN	82417
Dec. 22, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	73296
Dec. 22, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	73296
Dec. 21, 2011	ASSIGNED TO LIE	73296
Dec. 19, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 17, 2011	NON-FINAL ACTION MAILED	
Jun. 17, 2011	NON-FINAL ACTION WRITTEN	82417
Jun. 16, 2011	ASSIGNED TO EXAMINER	82417
Mar. 23, 2011	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Mar. 22, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 21, 2011	NEW APPLICATION ENTERED IN TRAM	

## ▼ TM Staff and Location Information

### TM Staff Information - None

### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Nov. 20, 2012

▼ **Assignment Abstract Of Title Information - Click to Load**

▼ **Proceedings - Click to Load**